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The Nuclear Policies of Iran: Islam and Strategic Thinking in the Islamic Republic

The Nuclear Policies of Iran: Islam and Strategic Thinking in the Islamic Republic

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Thesis submitted for the degree of PhD

2017

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Abstract

The thesis follows a multidisciplinary approach, and adopts a critical methodology – rooted in techniques of discourse analysis and genealogy – in an effort to draw attention to the problems with continuing to assess Iran’s strategic preferences within the parameters of ethnocentric paradigms of strategy. In this regard, it offers a critique of ontologies found in IR, strategic theory, and areas of Iranian Studies, and reconsiders the impact of Islam on Iran’s nuclear trajectory based on a critical approach to understanding military jurisprudence from the perspectives of hermeneutics and epistemology.

This thesis deconstructs some of the common portrayals of Iran’s nuclear policies presented in today’s academic and policy discourses. Specifically, it focuses on how the prospect of Iranian policies being guided by religious scholars is narrated by experts and commentators that confine Iranian strategic agency within one of two categories: Islamic fanaticism, or secular realism. Both of these approaches are situated within specific epistemological boundaries which the author critiques as the ‘deterrence parameter’.

In addition to deconstructing the prevailing narratives and discourses surrounding Iran’s nuclear programme – and the epistemic parameters which discipline them – the author offers an Islamic framework as an alternative lens for analysing Iran’s policies towards nuclear weapons and other weapons of mass destruction (WMD) if we are to assume that religion does have some impact on Iranian policy-making. This framework is formed of three interrelated levels: Qur’anic ontology, secondary sources, and theology. It also draws from previous instances where Muslim theologians and jurists have confronted weapons capable of mass destruction in light of concepts such as *maslahah* (public interest). The author applies this framework in assessing the verdicts of Islamic scholars on nuclear weapons and other

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WMD in an attempt to provide a counter-narrative for where Iran's strategic preferences emerge from and where they may go in the future.

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Introduction

[I]ntelligence failure is inevitable, and intelligence organizations should therefore investigate and try to understand those phenomena that inductive logic cannot describe.¹

(Mis)reading Iran and its Nuclear Programme

According to a US National Intelligence Estimate (NIE) in 2007, the Islamic Republic of Iran possessed neither a nuclear weapon nor an active nuclear weapons programme.² In December 2015, the International Atomic Energy Agency (IAEA) stated that while it believed Iran had engaged in "a range" of experimental activities related to nuclear explosive devices before 2009 – the precise time that Israeli Prime Minister Benjamin Netanyahu painted as a “hinge of history” for preventing Iranian nuclear weapons development³ – "these activities did not advance beyond feasibility and scientific studies".⁴ Yet the logic that absence of evidence does not equate to evidence of absence – now popularly associated with Donald Rumsfeld

¹ Kjetil Anders Hatlebrekke & M. L.R. Smith, "Towards a New Theory of Intelligence Failure? The Impact of Cognitive Closure and Discourse Failure", *Intelligence and National Security*, Volume 25, Issue 2, 2010, pp. 147-182, p. 180.

² National Intelligence Council, "Iran: Nuclear Intentions and Capabilities", *National Intelligence Estimate*, November 2007, http://web.archive.org/web/20160319134715/http://graphics8.nytimes.com/packages/pdf/international/20071203_release.pdf, p. 6 in PDF document (no page numbers).

³ Jeffrey Goldberg, "Netanyahu to Obama: Stop Iran – Or I Will", *the Atlantic*, March 2009 <http://web.archive.org/web/20160324144334/http://www.theatlantic.com/magazine/archive/2009/03/netanyahu-to-obama-stop-iran-or-i-will/307390/> [Accessed 09.06.16]

⁴ "Final Assessment on Past and Present Outstanding Issues Regarding Iran's Nuclear Programme: Report by the Director General", *International Atomic Energy Agency*, GOV/2015/68, 15 December 2015, p. 15.

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after remarks he made in 2002 as US Secretary of Defence⁵ – has ensured that doubt surrounding the 2007 NIE also clouds today’s threat assessment of the Islamic Republic of Iran’s nuclear programme.⁶ The assumption that Iran is driven to obtain nuclear weapons still permeates much of the academic literature and policy discourse on Iran’s strategic preferences.⁷

It is here that imagination plays an important role in the threat assessment of Iran’s nuclear programme. During what has come to be known as the Iranian ‘nuclear crisis’ – a period roughly between 2002-2015 of intensified international political and economic pressure on Iran centring on the extent to which its nuclear programme is deemed a security threat by the United States and its allies – there has been a tendency towards defining the Islamic Republic of Iran’s strategic preferences according to the normative assumptions of either realism or orientalism. In realist accounts, with roots as much in the more strategic-focused literature on nuclear weapons strategy and deterrence as it does International Relations (IR) scholarship, as well as a broader trend of philosophical realism in the social sciences and analysis, Iran is conceived as a ‘rational actor’ that seeks a nuclear weapon in order to maximise its own

⁵ “Press Conference by US Secretary of Defence, Donald Rumsfeld”, 06 June 2002, *North Atlantic Treaty Organization*, https://web.archive.org/web/20151206142806/http://www.nato.int/cps/en/natohq/opinions_19772.htm?selectedLocale=en [Accessed 11.06.16]. See also O. Boyd-Barrett, “Media and War Propaganda”, in Julia Hoffmann and Virgin Hawkins (eds.), *Communication and Peace: Mapping an Emerging Field*, Oxford: Routledge, 2015, pp. 100-101. See also Jason Jones, *The American Rhetorical Construction of the Iranian Nuclear Threat*, London: Continuum, 2011, pp. 144-145.

⁶ See Jason Jones, *The American Rhetorical Construction of the Iranian Nuclear Threat*, pp. 144-145. For a more general discussion of this assessment, see also Edward S. Herman and David Peterson, “The Iran “Threat” in a Kafkaesque World”, *Journal of Palestine Studies*, Vol. 42, No. 1, Autumn 2012, pp. 24-45.

⁷ This type of literature is distinct from a more complex literature which considers Iran’s strategy as one of “hedging”: between acquisition and restraint. See Wyn Bowen and Matthew Moran, “Living with Nuclear Hedging: the Implications of Iran’s Nuclear Strategy”, *International Affairs*, Vol. 91, No. 4, July 2015, pp. 687-707; Patricia Lewis, “Iran and Nuclear Restraint: Lessons from Elsewhere”, *Chatham House Research Paper*, July 2015.

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security in an anarchic international system and deter military aggression.⁸ Permitting a tendency towards strategic ‘mirroring’ in analysis and commentary, neither Islam nor any other ethical concerns here define or shape Iran’s strategic preferences in any meaningful way, and Iran is constructed as a ‘like unit’. As a like-unit, Iran is deemed capable of being deterred from obtaining and using nuclear weapons.

On the other side of contemporary discourse, orientalist accounts concur that Iran is driven to acquire its own nuclear weapons capability, but for different reasons. They argue that it is precisely the nature of religious belief in the Islamic Republic – and specifically, the involvement of clerics in policy-making – which pushes Iran towards a nuclear weapon. Here Iran is not a ‘like unit’, and instead seeks nuclear weapons due to its inherent irrationalism, and specifically the assumed religious fanaticism of its leadership.⁹ “For the mullahs, norms against proliferation are of little practical consequence.”¹⁰ It is in this space that a ream of powerful orientalist images, discourses and narratives about Iran and its motivations as an ‘Islamic Republic’ coalesce, and the Iranian ‘nuclear threat’ is born.¹¹

Both perspectives of Iran’s strategic preferences ultimately assume that Iranian nuclear proliferation is in some way inevitable or – given the geostrategic landscape of the region –

⁸ See for instance Kenneth N. Waltz, “Why Iran Should Get the Bomb: Nuclear Balancing Would Mean Stability”, *Foreign Affairs*, Vol. 91, No. 4, July-August 2012, pp. 2-5.

⁹ See for instance Clifton W. Sherrill, “Why Iran Wants the Bomb and What it Means for US Policy”, *Nonproliferation Review*, Vol. 19, No. 1, March 2012, pp. 31-49.

¹⁰ Ibid, p. 43.

¹¹ See the burgeoning niche of ‘airport fiction’ exploring this scenario: Larry Bond, *Exit Plan*, New York: St. Martin’s Press, 2012; Jack Higgins, *The Death Trade*, London: Harper, 2014; Gerald Seymour, *The Corporal’s Wife*, London: Hodder Paperbacks, 2014; Farsheed Ferdowsi, *Mushroom in the Sand*, Livermore: WingSpan Press, 2009. One notable trilogy from this niche, boasted by the author Joel C. Rosenberg to have been read by senior Israeli and US political and military officials, is the ‘*Twelfth Imam Series*’, which includes the books *The Twelfth Imam*, Carol Stream: Tyndale House Publishers: USA, 2010; *The Tehran Initiative*, Carol Stream: Tyndale House Publishers: 2011, and *Damascus Countdown*, Carol Stream: Tyndale House Publishers: USA, 2013.

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highly likely. In doing so they privilege two levels of analysis; namely those of ‘unit-level’ phenomena in what are constructed as Iranian ideology, religion and culture, or international ‘systemic’ factors. They are ultimately perspectives which attempt to socially-construct the Islamic Republic of Iran’s strategic agency within the narrow epistemic parameters of Eurocentric thinking concerning strategy and military affairs, within which ‘rationality’ and ‘pragmatism’ are considered uniquely secular artefacts.

These epistemic parameters are naturalised in discussions, and while Iranian strategic preferences towards nuclear weapons are today judged according to Eurocentric boundaries of inquiry, the Iran nuclear ‘debate’ gives the impression that the decision to obtain or not obtain nuclear weapons in Iran will hinge on factors that go beyond social-construction of threat – namely, the international system and Iran’s own position of existential security, or an Islamic ‘essence’ governing its policy-making processes. In either of these accounts, the unique agency of the individual cleric – or Muslim writ large – is lost in an attempt at collectivising their actions under the broad categories of realism or irrationalism.

For their own part in this regard, many media outlets in Western states have reinforced the perception that a peaceful resolution to the ‘nuclear crisis’ with Iran hinges on the capacity of the West to neutralise its capacity to enrich uranium beyond certain percentages, outside of an already extremely rigid monitoring arrangement with the International Atomic Energy Agency (IAEA).¹² If Iran’s nuclear programme is not curtailed in this way, we are told that a military confrontation between a hostile Iran and a defensive United States is inevitable:

¹² See Jonas Siegel and Saranaz Barforoush, “Media Coverage of Iran’s Nuclear Program: An Analysis of U.S. and U.K. Coverage, 2009-2012, *Center for International and Security Studies at Maryland* (School of Public Policy, University of Maryland), April 2013; Gareth Porter, *Manufactured Crisis: The Untold Story of the Iran Nuclear Scare*, Charlottesville: Just World Books, 2014; and especially Jones, *The American Rhetorical Construction of the Iranian Nuclear Threat*.

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[t]ime is always running out on diplomacy, a military operation is always around the corner, and Iran is always just months away from decimating Israel *and* holding the world hostage with a single nuclear bomb that it isn't even making. The clock, we hear *ad nauseam*, is ticking.¹³

The extent that we – as analysts, academics, policy-makers, and ultimately ordinary members of the public – should be concerned about Iran's nuclear programme depends on the kinds of assumptions we make about the intentions and mind-sets of Iran's leaders. We in the West are privy to little insight into the worldviews and ideologies of those holding power in the Islamic Republic today, but often accept – tacitly or explicitly – certain orientalist imaginings of the thought-processes of Iran's *ulama* which confirm our own sense of identity (e.g. empiricist, rational, 'strategic-minded'). Here we are reminded of Edward Said's observation that orientalism "makes sense" because it

depends more on the West than on the Orient, and this sense is directly indebted to various Western techniques of representation that make the Orient visible, clear, "there" in discourse about it.¹⁴

At both the levels of policy and academic discourse, the perception of Iran as an Islamic-revolutionary state gripped by clerics, hard-line factions and paramilitary groups – all influenced by religion – render assessments that Iran's civil nuclear programme is a cover for weaponisation extremely plausible. Yet that such discussions have for so long hinged on an only cursory engagement with what are a plethora of ways that religion can potentially impact Iran's strategic doctrines forces us to ask what kinds discourses regarding Islam and the Islamic Republic have in this absence come to govern the assessment of Iran's nuclear

¹³ Nima Shirazi, "Iran's Ever-Ticking Nuclear Clock: Countdown to Nothing", *Wide Asleep in America*, 22 November 2014, <http://web.archive.org/web/20160324143334/http://www.wideasleepinamerica.com/2014/11/iran-nuclear-ticking-clock.html> [Accessed 11.06.16]

¹⁴ Edward W. Said, *Orientalism*, London: Penguin Books, 2003, p. 22.

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programme today under the banner of empirical analysis. In such a context, the tendency to construct Iran's leadership as the 'other' – in accordance with orientalist presentations of Iranian culture and Islam – or as being driven by exactly the same strategic preferences which drive secular 'Western' states, is striking.

Closer to policy, 'experts' and pundits belonging to an array of influential lobby groups including United Against a Nuclear Iran (UANI) and the American Israel Public Affairs Committee (AIPAC), as well as neoconservative think-tanks such as the Gatestone Institute and the Foundation for Defense of Democracies, have provided their own social construction of the Iranian 'threat' in this void, and offered extensive commentaries on why the collective mentality of Iran's leaders means that it will inevitably produce (and use) nuclear weapons¹⁵.

Let us look at the religious dimension of this problem, and then at its more mundane aspects.

Are the clerical elite and their praetorians--the Revolutionary Guards Corps, the thuggish Basij, and the killers of the Ministry of Intelligence--still running a revolutionary enterprise within which they see themselves as the ideological vanguard of the nation and Islam? Yes, absolutely.¹⁶

They are joined by Israel's Prime Minister Benjamin Netanyahu, who likewise exploits a common lack of understanding of how Iran's leadership think and feel:

¹⁵ See Denis MacEoin, "Iran's Supreme Leader: "Death to America": Which Word Does America Not Understand?", the *Gatestone Institute*, 22 March 2015, <http://web.archive.org/web/20160324143536/http://www.gatestoneinstitute.org/5428/breaking-iran-supreme-leader-death-to-america> [Accessed 09.06.16]

¹⁶ Reuel Marc Gerecht, "The Myth of Moderate Mullahs", the *Weekly Standard*, Foundation for Defense of Democracies, 19 March 2007, <http://web.archive.org/web/20160324144024/http://www.defenddemocracy.org/media-hit/the-myth-of-moderate-mullahs/> [Accessed 09.06.16]

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[y]ou don't want a messianic apocalyptic cult controlling atomic bombs. When the wide-eyed believer gets hold of the reins of power and the weapons of mass death, then the entire world should start worrying, and that is what is happening in Iran.¹⁷

We are reminded however of many examples where non-Muslim leaders of states have couched their decision-making and political worldviews in religious terms. 'Cold Warrior' Ronald Reagan was of the opinion that nuclear war would take place in his lifetime, and couched this view in not only nuclear pessimism, but also Christian eschatology:

[w]hen I look at the ancient prophets, the holy book, and the signs that predict Armageddon, I ask myself will we be the generation that will witness this war? Believe me, these predictions are in accordance with the era we live in.¹⁸

Former US President George W. Bush made frequent references to his religious beliefs when outlining his foreign policy vision,¹⁹ and supposedly remarked to the Palestinian National Authority's Foreign Minister in 2003 that God commanded him to go to war in Afghanistan.²⁰ More symbolically, but important nonetheless when one considers the close analysis of the use of religious symbols in the Islamic Republic of Iran (for example, the names given to its satellites or missiles),²¹ Russia's nuclear arsenal is has its own "“spiritual

¹⁷ Goldberg, "Netanyahu to Obama: Stop Iran – Or I Will".

¹⁸ Grace Halsell, *Prophecy and Politics: The Secret Alliance Between Israel and the U.S. Christian Right*, Chicago: Lawrence Hill Books, 1986, pp. 48-50.

¹⁹ Amy E. Black, "With God on Our Side: Religion in George W. Bush's Foreign Policy Speeches, Presented at the Annual Meeting of the American Political Science Association, Chicago", 2002.

²⁰ Ewen MacAskill, "George Bush: 'God Told Me to End the Tyranny in Iraq'", the *Guardian*, 7 October 2005, <http://web.archive.org/web/20160324144430/http://www.theguardian.com/world/2005/oct/07/iraq.usa> [Accessed 09.06.16]

²¹ See for instance the prominent neoconservative Michael Ledeen in "Iran in Orbit", *Wall Street Journal*, 09 February 2009, <https://web.archive.org/web/20160324144247/http://www.wsj.com/articles/SB123414344863961949> [Accessed 09.06.16], where he writes that "[e]rily, the rocket that carried the telecommunications satellite into space was

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patron-protector” (namely, Saint Seraphim of Sarov).²² Furthermore, the Patriarch of the Russian Orthodox Church is tasked with blessing the nuclear ‘command & control’ briefcase (*cheget*).²³ Even in the United Kingdom, the Polaris nuclear missile system had its own prayer – written by Captain Michael Henry – that included the lines:

Lord thou command us saying ‘thou shall not kill’. Thou knowest that we prepare ourselves constantly to kill, not one thousand, and that by this preparation we believe we help to preserve peace among nations.²⁴

While remarks, views and rituals such as these pose certain problems for secularism in the West, they are rarely securitised in the same way that the presence of religion in Iran’s strategic preferences is. When Netanyahu speaks of the ‘wide-eyed believer’ in Iran in the context of weapons of mass destruction (WMD), we as an audience immediately understand which supposed elements of the Islamic faith will come to motivate Iran’s policies.

At the heart of these discussions regarding Iran’s nuclear intentions and the role of religion in defining its strategic preferences is the assumption is that its status as an Islamic Republic forces it to behave differently in the nuclear realm compared to secular, ‘rational’ states, or even those whose leaders might be influenced by Christianity. Iran’s religious system of governance, which permits the country’s religious (*ulama*) to exercise varying degrees of

named "Safir" (message) and the satellite itself "Omid" (hope). In short order we can expect to hear Iranian President Mahmoud Ahmadinejad announcing the imminent return of the Mahdi.”

²² Christopher Marsh, *Religion and the State in Russia and China: Suppression, Survival, and Revival*, London: Continuum, 2011, p. 260

²³ Ibid, p. 260.

²⁴ James Jinks and Peter Hennessy, *The Silent Deep: The Royal Navy Submarine Service Since 1945*, London: Penguin UK, 2015, p. 264.

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power in the policy-making process, is recognised implicitly²⁵ (and sometimes explicitly²⁶) as a key variable distinguishing Iran's actions from those of other states.

The extent to which Iran's leaders are therefore impacted by religious ideas or ideology – and the ways that we choose to characterise this impact in our own discourse – therefore has a unique bearing upon assessments of whether the country will conform to or waver from existing models of deterrence and nuclear proliferation. Here, in the spirit of Ken Booth's *Strategy and Ethnocentrism*, which argues that “threat assessment is not concerned just with ‘capabilities’ and ‘intentions’”, but also images which allow us to perceive and misperceive these capabilities,²⁷ I argue that ‘mad mullahs’, as opposed to a threat assessment based strictly on nuclear physics, verification or even the analysis of Iranian military and political institutions, are the primary factor underpinning the conclusion that Iran's nuclear programme represents an objective threat to international stability.

On the other end of the spectrum, the view that religion plays only a negligible role in defining Iran's strategic preferences in the nuclear realm and beyond likewise offers very little insight into the origin and movement of these strategic preferences beyond a Eurocentric narrative which considers secular Anglo-European-North American sources for strategic preferences to be primary. One *Time* journalist, for instance, considers the prospect of Ayatollah Khamenei appreciating the works of Leo Tolstoy, Victor Hugo and Honoré de

²⁵ See for instance the claim that Iran misses vital checks and balances in the command and control process, where the Supreme Leader's decisions would be central, in Frederick W. Kagan, *Deterrence Misapplied: Challenges in Containing a Nuclear Iran*, Council on Foreign Relations, May 2010, p. 1, and similar claims in Shahram Chubin, “Command and Control in a Nuclear-Armed Iran”, *Institut Français des Relations Internationales*, Proliferation Papers 45, January-February 2013.

²⁶ See Shmuel Bar, *Can Cold War Deterrence Apply to a Nuclear Iran?*, Jerusalem Center for Public Affairs, Strategic Perspectives, No. 7, 2011, p. 11.

²⁷ Ken Booth, *Strategy and Ethnocentrism*, New York: Holmes & Meier Publishers, 1979, p. 17.

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Balzac as “surprising evidence of intellectual depth”²⁸ as he considers whether or not the United States can trust Iran. “This guy is Bismarck with a turban”, contributes Ray Takeyh in the same article.²⁹ In this regard, realists have been among the quickest to respond against the charge that Iran is an irrational actor, but only through accepting a secular narrative of how Iranian strategic preferences emerge. Some realists therefore argue that while the Islamic Republic likely does seek nuclear weapons, it does so for reasons rooted in what are considered objective conditions of global and regional insecurity, rather than religious belief. In IR, Kenneth Waltz is perhaps the most famous figure to argue this view, and is joined by others.³⁰

That both sides of the discussion focus so heavily on the extent to which Iran is a ‘rational’ actor is a reflection of how Iran’s nuclear intentions are constructed with reference to theories designed to provide general explanations for why nuclear proliferation occurs, or models of how nuclear deterrence to work, rather than theories aimed at unveiling ‘specificity’ in strategic preferences, or competing notions of ‘rationality’ or ‘pragmatism’ based on religious foundations. While the question of whether Iran is a ‘rational’ realist power, or an ‘irrational’ Muslim one, is one of the central concerns in answering the nuclear question today, it cannot provide convincing answers concerning what drives Iran’s strategic preferences, and where its nuclear programme could head, if we are to take its model of religious governance

²⁸ Michael Crowley, “Iran’s Supreme Leader: Fanatic or “Genius”?”, *Time*, 21 November 2013, <http://web.archive.org/web/20160515162518/http://swampland.time.com/2013/11/21/irans-supreme-leader-fanatic-or-genius/> [Accessed 07.06.16]

²⁹ Ibid.

³⁰ See Kenneth N. Waltz, “More May be Better”, pp. 1-46, and Kenneth N. Waltz, “Waltz Responds to Sagan”, pp. 93-114, in Scott D. Sagan and Kenneth N. Waltz (eds.), *The Spread of Nuclear Weapons: A Debate Renewed*, New York: W.W. Norton & Company, 1995. See also John J. Mearsheimer, “The Case for a Ukrainian Nuclear Deterrent”, *Foreign Affairs*, Vol. 72, No. 3, Summer 1993, pp. 50-66; Barry R. Posen, “A Nuclear-Armed Iran: A Difficult but not Impossible Policy Problem”, Century Foundation Report, 2006.

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seriously. As Roxanne Euben concludes in her comparative analysis of Islamic fundamentalism and rational actor theory,

rational actor theory cannot but misinterpret and misrepresent the nature of Islamic fundamentalism in the attempt to understand it. This is because rational actor assumptions and the rationalist worldview of which they are an expression construct the meaning of Islamic fundamentalism in ways that occlude fundamentalists' own conceptions of human nature and action.³¹

Beyond this paucity of critical engagements with the key concepts and approaches in mainstream analysis of Iran's nuclear programme, we also find that there are equally few rigorous and coherent positivist models explaining the pertinence of religious law within a theocracy with regards to its strategic preferences. In short, there is no equivalent of Graham Allison's *Essence of Decision: Explaining the Cuban Missile Crisis* (1971) or Kenneth Lieberthal's and Michel Oksenberg's *Policy Making in China: Leaders, Structures, and Processes* (1988), in attempts at delineating the interaction between various centres of religious power in Iran and strategic preference making regarding nuclear weapons. This lack of empirical literature or analysis persist in spite of a widespread assumption that nuclear weapons proliferation is best understood and mapped through the lens of positivism, and a focus on "variables and stark causal mechanisms".³² This void can partially be accounted for due to the informality of Iran's power-structures,³³ the lack of data available in English and

³¹ Roxanne Euben, "When Worldviews Collide: Conflicting Assumptions about Human Behavior Held by Rational Actor Theory and Islamic Fundamentalism", *Political Psychology*, Special Issue: Political Economy and Political Psychology, Vol. 16, No. 1, March 1995, p. 176.

³² Ursula Jasper, *The Politics of Nuclear Non-Proliferation: A Pragmatist Framework for Analysis*, Oxford: Routledge, 2013, p. 9.

³³ For an assessment of structures of power in Iran, see Wilfried Buchta, *Who Rules Iran? The Structure of Power in the Islamic Republic*, Washington D.C.: Washington Institute for Near East Policy and Konrad Adenauer Stiftung, 2000, pp. 6-11.

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even Farsi, and reluctance of many religious scholars to disclose details of their political activities (especially concerning the nuclear issue). Most important perhaps is the difficulty in quantifying religious belief in strategic preferences.

Given this context, qualitative analysis – particularly in the form of critical theory – is perhaps best equipped in providing insights into the origin and movement of strategic preferences are derived from.³⁴ Such studies provide a much sounder basis for tracing the potential ways in which ideology, religion and culture coalesce as contributing factors defining the Islamic Republic of Iran's strategic preferences. In contrast, in the discussion of Iran's nuclear programme, the preference for more positivist studies can impede the observer of Iranian policy-making from properly grasping potential ideational roots of Iran's strategic preferences, as well as our ability to assess more clearly – beyond orientalist or realist ontologies – the role that religion and religious structures of authority can play in determining where its nuclear programme will go in the future.

The inadequacy of these literatures on Iran – as we will see – are nevertheless an opportunity to construct a more specialised study of the ideational roots of the Islamic Republic's strategic preferences. This demands that we begin pursuing what Ursula Jasper identifies as “alternative models of reasoning and knowledge generation, which complement and enrich existing approaches and which enhance our thinking about wider “causes” of nuclear proliferation”.³⁵ For Jasper, it is vital that we

³⁴ See for instance Arshin Adib-Moghaddam, *Iran in World Politics: the Question of the Islamic Republic*, London: Hurst Publishers, 2007; Arshin Adib-Moghaddam, *The International Politics of the Persian Gulf: A Cultural Genealogy*, Oxford: Routledge, 2006; Anoushiravan Ehteshami, *After Khomeini: The Iranian Second Republic*, Oxford: Routledge, 1995; Amr G.E. Sabet, *Islam and the Political: Theory, Governance and International Relations*, London: Pluto Press, 2008.

³⁵ Jasper, *The Politics of Nuclear Non-Proliferation*, p. 10.

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open the “black box of the state” and try to examine how its identity, role, culture, threat perception and so on emerge through an intersubjective, linguistically mediated and fundamentally *political process* of “meaning-making.”³⁶

In the context of reading clerical views related to nuclear weapons, we – as analysts – must likewise consider these views on their own terms rather than as an outcome of processes taking place at the level of the international system, and reflect critically upon our quickness to turn to orientalist caricatures of ‘Islamic’ strategic agency when confronted with religious ontologies. The notion that strategic choices rooted in mysticism and an Islamic legal framework can nevertheless produce outcomes that are conducive to international security and non-proliferation, and are de-escalatory, should begin to be taken seriously in debates concerning Iran’s nuclear programme.

Thesis Rationale and Methodology

As Martin Hollis and Steve Smith recognise succinctly, “epistemology matters because ontological disputes are not always decidable by direct appeal to how the world is [...] each party needs to give reasons for believing its case”.³⁷ The epistemic boundaries within which we situate and ultimately read data – technical or otherwise – are likewise enormously important, but too frequently ignored. Discussions cannot continue to rely on the assumption that quantifiable data (such as its number of enrichment facilities, centrifuges, and levels of enrichment) are a sufficient metric of Iranian intentions, or that our own normative biases do not influence how this information is read. As will become clear in this thesis, the Iranian ‘nuclear crisis’ is a profoundly discursive enterprise, and the dominant discourse often reflects our quickness to presume certain things about the origin of strategic preferences in

³⁶ Ibid, p. 10.

³⁷ Martin Hollis and Steve Smith, “A Response: Why Epistemology Matters in International Theory”, *Review of International Studies*, Vol. 22, No. 1, January 1996, p. 112.

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the Islamic Republic. The perceived importance of clerics in Iranian policy-making can be read as a force leading Iran towards what the prominent neoconservative Michael Ledeen characterises as “the Ayatollahs’ bomb”,³⁸ or an important ally ensuring that Iran – in accordance with ethical and religious considerations – does not acquire a nuclear weapon. How we choose to bring the variable of religion into the nuclear debate is therefore a crucial part of any formal or informal threat assessment.

This thesis presents an alternative framework for conceptualising strategic preferences concerning nuclear weapons and weapons of mass destruction inside the Islamic Republic of Iran, based on a genealogical reading of Islamic laws of war and a closer reading of Islamic political theology. It will address one overarching question: what are the implications for the trajectory of the Islamic Republic of Iran’s nuclear programme if religious discourse and religious scholars are assumed to have some impact on its strategic preferences? In answering, I consider sources beyond *realpolitik* which could influence contemporary Islamic-scholarly positions in the Islamic Republic of Iran towards the country’s nuclear programme, and ultimately shape its strategic preferences. These sources form the basis of a non-secular analytical framework for understanding potential religious roots of Iran’s strategic preferences today; beyond the parameters of Eurocentric thinking that currently discipline the discussion of where Iran’s nuclear programme is headed. The analytical framework consists of three levels of analysis: Qur’anic ontology, secondary sources (specifically *ahadith*), and theology. The framework is aimed at encouraging a greater critical awareness of the need to divorce any assessment we now make of Iran’s nuclear programme from the kinds of normative assumptions that have in the past influenced our reading how

³⁸ Michael Ledeen, “The Ayatollahs’ Bomb”, *National Review*, 17 September 2003, <http://web.archive.org/web/20160324150206/http://www.nationalreview.com/article/208042/ayatollahs-bomb-michael-ledeen> [Accessed 09.06.16]

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culture and religion impact strategic preferences, particularly in the context of nuclear proliferation. Here the idea is to trace – as Michel Foucault puts it –

the singularity of events outside of any monotonous finality [...] not in order to trace the gradual curve of their evolution, but to isolate the different scenes where they engaged in different roles.³⁹

In the spirit of understanding this ‘singularity of events’, this thesis will contextualise contemporary views on nuclear weapons and other WMD within the flux of Islamic legal discourses of warfare in response to pragmatic or expedient considerations of security – long assumed in various literatures concerning Iran to be static – but also provide a basis for understanding how and why these laws retain their authoritative status. The more critical genealogy of clerical views on nuclear weapons and other WMD emerging from this framework underpins an argument that we should read today’s nuclear weapon and WMD *fatawa* as dynamic political texts, rooted in potent narratives which construct the Islamic Republic of Iran as a vanguard defending the transnational Islamic community’s (*ummah*) security. The focus challenges essentialist accounts of Islamic law, and how Islamic law can impact Iran’s strategic preferences.

Techniques of discourse analysis and genealogy reveal that Islamic scholars conceptualise pragmatism and expediency in strategic affairs in light of practical needs of governance within their own unique epistemic parameters. These parameters, rather than any pre-determined Islamic dogmas related to weapons capable of mass destruction, determine the Islamic framework and narrative for their views on nuclear weapons. If we choose to believe that religion and religious actors are capable of affecting its nuclear policies (which much of

³⁹ Michel Foucault, “Nietzsche, Genealogy, History”, 1977, in D.F. Bouchard (ed.), *Language, Counter-Memory, Practice: Selected Essays and Interviews*, New York: Cornell University Press, 1980, pp. 139-140.

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the literature, to varying degrees, does), these parameters of legal interpretation need to be considered in greater detail – and on their own terms – when theorising the conception, temporality and movement of Iran’s strategic preferences today. We cannot simply read Islamic sources in isolation from the time and place they are conceived. Therefore, if we are to analyse the positions of Islamic scholars on nuclear weapons and other weapons of mass destruction today, we must begin to understand temporality and flux of Islamic military jurisprudence itself and the foundations of ‘Shi’i realism’.⁴⁰ While nuclear weapons possession and use within the Twelver Shi’i Islamic legal tradition and political theology therefore serves as the central focus of this thesis, it has wider implications for how we characterise the agency of religious actors in the Islamic Republic of Iran.

My conclusion is that political and military pragmatism and expediency can have their roots in an Islamic belief-system and Shi’i theology, and that this reveals a notion of ‘modernity’ and ‘rationality’ in strategic affairs distinct from those found in the West, but not for the reasons assumed in orientalist accounts.

Hypothesis & Normative Framework

At the outset, it is necessary to outline my own hypothesis and normative claims. This thesis is not based on the assumption that Iran’s decision-making and policies towards tactical and strategic doctrines of war are entirely derived from a monolithic and homogenous set of beliefs and practises known as ‘Islam’. I therefore do not intend to establish or prove a linear line of causality from the use of Islamic traditions or reasoning by Iran’s *ulama* to policy outcomes related to Iran’s nuclear programme. Nor is it my intention to test the hypothesis that Iranian nuclear policies are directly impacted by clerical opinion using methods of quantitative analysis. Islamic legal sources cannot be said to linearly impact nuclear policy in

⁴⁰ Adib-Moghaddam, *Iran in World Politics*, p. 158

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modern Iran, and I do not utilise any positivist methodologies in an attempt to prove or disprove the ‘Islamicness’ of Iran’s foreign and security policy-making. As will become clear in the course of this thesis, the flexibility of Islamic law renders the task of discerning absolutely whether or not the production, possession or use of nuclear weapons is ‘*haram*’ nearly impossible. Rather, I provide a study for those concerned with understanding the ‘specificity’ of strategic preferences in the Islamic Republic from the perspective of religion, the moment at which they can move or change, and the conditions (both external and internal to Islam) which can potentially prompt this change. By the end of the study the reader should have a firmer grasp of the transience of laws and discourses within Islam concerning weapons capable of mass destruction (and nuclear weapons in particular), as well as the ontological currency these laws and discourses might have in the Islamic Republic of Iran today. In sum, I endeavour to demonstrate to the reader that a distinctive mode of reasoning is deployed in Iranian public life, and consequently that debates on the future of Iran’s nuclear programme occur either in part or in whole within an Islamic epistemological public sphere.

My hypothesis is that as Islamic law adapts to the specific conditions of a particular time and place, it will naturally contain few absolute positions towards weapons of war or revolutions in military technology. Yet this does not render monolithic constructions of ‘Islam’ as a framework for military strategy irrelevant. On the contrary, analysts must also consider the prospect of the Islamic Republic’s own policies and strategic preferences concerning nuclear weapons being equally malleable – dependent on context, and therefore subject to change – but that this can be attributed as much to the epistemological boundaries of Islamic theology and law as to the ontology of secular *realpolitik*. To be clear, while I accept that realism and neorealism might be of use as paradigms – today, or in the future – for viewing certain outcomes related to Iran’s nuclear programme, my claim is that seemingly ‘realist’ policy outcomes could nevertheless be arrived at through utilising Islamic reasoning. I therefore do

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not intend to critique the predictive accuracy of realism/neorealism concerning the future of Iran's nuclear programme. My contribution to the debate over Iran's nuclear programme is instead a more thorough study of strategic thinking (rather than strategic outcomes) in the Islamic Republic of Iran. In this regard, I concur with Amr Sabet that "[b]eliefs and ideas play an important role, tangible though sometimes less visible, in the ordering organization, and interpretation of "data," beyond the mere justifications of pure interest".⁴¹ I consciously adopt this approach in both assessing the limits of existing nuclear strategy, theory and discourse, as well as establishing the roots of Islamic normative approaches to weapons of warfare and *jihad*. Given the eagerness of many academic and non-academic experts to reference Shi'ism, Islam or Iranian culture in assessing the Islamic Republic's nuclear options, my contribution is a more rigorous (and critical) investigation of the potential normative sources of strategic preferences in Iran rooted in Islam.

The critique in this thesis shares some of the concerns of post-colonial theory – namely, its agenda for identifying and critiquing Eurocentrism in IR,⁴² and ultimately the aim of dislodging Europe or the United States as definitive reference points for understanding (and universalising) policy processes in the 'Global South'.⁴³ At the point of constructing and employing an analytical framework for assessing views on nuclear weapons today, the approach in this thesis diverges somewhat from a post-colonial approach through it being inspired by a recent attempt in the field of Islamic Studies⁴⁴ to draw attention to the

⁴¹ Amr Sabet, *Islam and the Political*, p. 132.

⁴² Kamran Matin, "Redeeming the Universal: Postcolonialism and the inner life of Eurocentrism", *European Journal of International Relations*, Vol. 19, No. 2, 2011, pp. 356-357.

⁴³ Sanjay Seth, "Postcolonial Theory and the Critique of International Relations", *Millennium: Journal of International Studies*, Vol. 40, No. 1, 2011, p. 168; John Hobson, *The Eurocentric Conception of World Politics: Western International Theory, 1760-2010*, Cambridge: Cambridge University Press, 2012.

⁴⁴ See Shahab Ahmed, *What is Islam?: The Importance of Being Islamic*, Princeton: Princeton University Press, 2015, p. 231. It is this premise from which I agree with Kamran Matin's observation that Iran's *ulama* have attempted to "reconstitute Shi'a Islam as an ideology and value system [...] capable of competing with the

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confluence of the secular and religious in knowledge production within nonetheless ‘Islamic’ epistemic parameters. Shahab Ahmed’s critique of Hamid Dabashi’s exclusivist definition of what is precisely ‘Islamic’ is of note as an allusion to what is meant by this:

[Dabashi] takes the position that the term “Islamic” is disqualified from qualifying any universal, because to qualify a universal by the term “Islamic” is to obliterate its universality. It is hard to grasp this last point: do we lose the universality of the term “intellectual” by qualifying it as “Marxist intellectual” [...]? If these are meaningful qualifiers, (why) is “Islamic” not?

In the context of the present thesis, it is warranted to explore how Islam has governed strategic thinking and military affairs for Muslim societies across the centuries as a hermeneutical framework rather than as a strict plan of action – inspiring leaders from the Prophet and the four Caliphs, through the Twelve Imams, up to Khamenei today. As such, essentialist paradigms for the impact of Islam upon strategy and military postures – such as orientalism or realism – are blind to how Islamic legal discourses distinctly emerge and change, and how these processes are conceptualised and normalised by Muslims themselves.

In line with Foucault’s observation that with the consolidation of any episteme, “there are a good many partial groups, regional compatibilities, and coherent architectures that might have emerged, yet did not”,⁴⁵ I attempt to politically trace some of the views regarding nuclear weapons today in order to highlight a range of other views which could have emerged, but have not yet done so. When these views are put into the context of foundational

growing influence of secular ideologies” (Kamran Matin, *Recasting Iranian Modernity: International Relations and Social Change*, Oxford: Routledge, 2013, p. 129). I would go further to assert that Islamic paradigms of warfare are offered not merely as a reaction to Western paradigms, but as a way of restating Islam’s own epistemological space for strategic preference making (in contrast to the space imposed by the great powers and their host of realist thinkers).

⁴⁵ See Michel Foucault, *The Archaeology of Knowledge*, Oxford: Routledge Classics, 2002, p. 74.

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views – whether found in Qur’anic ontology, *ahadith*, or theology – concerning weapons capable of mass destruction found within Islam, it appears that what today appear to be hegemonic interpretations evolved nonlinearly. Earlier views appear to be sometimes contradicted by more modern readings of Qur’an and *sunnah*. Yet these modern views reinforce an authoritative source of ‘military jurisprudence’ and strategic preference-making in what are disciplined by Muslims as the epistemic boundaries of Islam. Despite contemporary focus on veracity of legal proclamations and the temporal nature of a *fatwa*, these boundaries remain salient for politicians and clergy alike in the Islamic Republic, and therefore must be taken on their own terms. Our task is therefore to “[d]etermine the possible points of diffraction of discourse”,⁴⁶ namely, through analysing the political and social conditions within which certain forms of military jurisprudence related to mass destruction became hegemonic, and came to endure – to varying degrees – as if they were dogmatic ‘Truth’.

A number of concepts and terms that are presented in this thesis are also worth defining and qualifying at this stage. The first is ‘strategic preferences’, which can be defined as the policy decisions designed around particular strategic objectives, as well as the epistemological framework within which these choices are legitimised, and the ontological concepts that are drawn upon in order to cement this legitimacy. My focus on the more neutral concept of strategic preference differs from the notion of ‘strategic culture’ – defined by Jack Snyder in 1977 as “the sum total of ideas, conditioned emotional responses, and patterns of habitual behaviour that members of a strategic community have acquired through instruction or imitation”⁴⁷ – which has come to reify and essentialise certain strategic courses on the basis

⁴⁶ Ibid, p. 72.

⁴⁷ Jack L. Snyder, *The Soviet Strategic Culture: Implications for Limited Nuclear Operations*, Santa Monica: RAND Corporation, 1977, p. 8.

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of outward cultural or religious characteristics that are portrayed in ahistorical terms.⁴⁸ For the purposes of this thesis, analysis focuses on the processes within which certain strategic preferences are conceived and legitimised, rather than an explicit normative claim that these strategic preferences objectively reflect “early or formative experiences of the state, and are influenced to some degree by the philosophical, political, cultural, and cognitive characteristics of the state and its elites”⁴⁹ – a research agenda which we will see is executed poorly in orientalist analyses of Iran’s nuclear programme (see Chapter Two).

The second is the ‘state of exception’. This study accepts Giorgio Agamben’s definition – and theorisation – of the state of exception as any “attempt to include the exception itself within the juridical order by creating a zone of indistinction in which fact and law coincide.”⁵⁰ For Agamben, a state of exception is unique in that it creates a space for seemingly unlawful action within the parameters of a legal framework: a constitution, for instance, or for our purpose the Qur’an and other sources of Islamic law.

Finally, the category of WMD is used distinctly from the category of ‘weapons capable of mass destruction’ in order to convey a difference between weapons technologies encountered within military jurisprudence, and the more modern forms of chemical, biological, radiological and nuclear weapons technologies.

⁴⁸ For critiques of this tendency, see Iver B. Neumann and Henrikki Heikka, “Grand Strategy, Strategic Culture, Practice: The Social Roots of Nordic Defence”, *Cooperation and Conflict: Journal of the Nordic International Studies Association*, Vol. 40, No. 1, 2005, pp. 5-23; Christopher P. Twomey, “Lacunae in the Study of Culture in International Security”, *Contemporary Security Policy*, Vol. 29, No. 2, 2008, pp. 338-357; Booth, *Strategy and Ethnocentrism*, p. 9.

⁴⁹ Alastair Iain Johnston, “Thinking about Strategic Culture”, *International Security*, Vol. 19, No. 4, Spring 1995, p. 34.

⁵⁰ Agamben, *State of Exception*, p. 26.

Primary Research and Fieldwork

Between 1st and 30th December 2013, I embarked an initial period of fieldwork in Qom and Tehran. The Joint Plan of Action between Iran and the P5+1 was signed on 24 November 2013, a few days prior to my arrival in Tehran. Prior to travelling to Iran, and in particular Qom, I had secured permission from a senior religious scholar and principal (possessing the ‘rank’ of Ayatollah) – himself closely affiliated with the Supreme Leader, and the son of a prominent 20th century *marja al-taqlid* – to conduct my research at one of the Holy City’s universities. Though it was made explicit to all parties that I would be conducting research in an individual capacity as a doctoral researcher from the School of Oriental and African Studies (SOAS) in 2013, my occupation as a research assistant at the Royal Institute of International Affairs (Chatham House) presented immediate problems upon my arrival in Qom. A few months prior to my arrival, news stories published by the Iranian state-owned *Press TV* – one of which mentioning my primary supervisor by name – had also alleged a link between SOAS and British security agencies.⁵¹ The timing of my arrival also posed problems, given the securitised atmosphere in Iran following a sequence of losses by the state security apparatus: the unexpected election of Rouhani in summer of that year, the first bilateral talks between Iran and the United States in September, and the conclusion of an interim nuclear deal which would result in the suspension of uranium enrichment. As another cleric in Qom admitted to me at the time, “doing this research at this time in Iran, I feel sorry for you”.⁵² Despite my own efforts to stress that I was present in an independent capacity, and not conducting research on behalf of Chatham House, I was instructed by my interlocutor in Qom that if I wished to continue my research on this sensitive subject, I would have to

⁵¹ “UK Sets Trap for Iranian Economists”, *Press TV*, 11 May 2013, <http://web.archive.org/web/20160501153803/http://edition.presstv.ir/detail/fa/302996.html> [Accessed 12.06.16]; “SOAS Serves as MI6 Training Ground”, *Press TV*, 24 May 2013, <http://web.archive.org/web/20160501152258/http://edition.presstv.ir/detail/fa/305212.html> [Accessed 12.06.16]

⁵² Interview conducted in Qom, Iran, on 8th December 2013.

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consent to an interview with the Ministry of Intelligence. Based on my risk level – namely, my presence in Iran on an Iranian passport, dual British-Iranian nationality and heritage, difficulties in communicating with potential interrogators, and my affiliation with both SOAS and Chatham House – I declined to the interview with the Ministry of Intelligence and opted to continue my research in Tehran.

In Tehran I secured a number of interviews with academics and policy-makers. Most that I spoke with in Tehran remained coy on the nuclear issue however, and discussions often focused on theoretical aspects of pragmatism in the Islamic Republic, or the symbolic stature of Iran's nuclear programme, rather than on the technical dimensions of clerical opinion. Among the insights that I gained while in Tehran was that academics and policy-makers were less keen on talking about 'security' as an abstract concept than they were on 'defence', taken to imply objective definitions of Iranian interests and policy-formation (especially in the context of understanding the Supreme Leader's views).

Though my fieldwork in Iran did not yield the primary material I had first anticipated, the experience nevertheless transformed both the scope and nature of enquiry in the present thesis, providing insights which went on to shape my own assessment of religious discourse in Iran as it relates to nuclear policy. Even if I had obtained my desired interviews with religious scholars on nuclear weapons and Iran's nuclear programme, emerging scholarship on the issue has highlighted the continued need for a more critical perspective on what these verdicts and views represent theologically and politically. Specifically, my assessment of religious discourse – both in how these views are interpreted by compilers like Steve Ditto, or policy analysts such as Mehdi Khalaji – was that a non-reductionist approach to Islamic law was necessary if we are to gain insights into the political currency of these views (beyond ethnocentric typologies), and speculate on the direction of Iranian policy-making in this area.

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Primary research in this thesis focuses predominantly on the deconstruction of the two dominant ontologies for viewing the agency of religious scholars in the nuclear field – orientalism, and realism – within a broader critique of the epistemic parameters within which discourse is often situated (namely, a regime of truth I label the deterrence parameter). I then offer an alternative framework for viewing the views of religious scholars concerning nuclear weapons and other WMD based on three levels of analysis: Qur’anic ontology, secondary sources, and theology. Finally, I subject the collated views of religious scholars concerning nuclear weapons and other WMD to this framework in order to provide fresh insights into what these religious views mean, and what they can tell us about the trajectory of nuclear policy in Iran.

Literatures Reviewed

The literature critically engaged with in this thesis can be categorised into three forms: primary sources detailing the views of religious scholars concerning WMD or weapons capable of mass destruction (examined in Chapter One); literature detailing or exemplifying the paradigms of orientalism (examined in Chapter Two) and realism (examined in Chapter Three); and both primary sources of Islamic jurisprudence (e.g. the Qur’an, or *ahadith*) and secondary literature from the field of Islamic Studies in the construction of a non-secular framework for analysing Iran’s strategic preferences (see chapters Four and Five). Given that the central arguments of this thesis hinge on discourse analysis and techniques of deconstruction, the ‘literature review’ component of this study takes place over the course of its entirety (with perhaps the exception of Chapter Five). Nevertheless, in terms of outlining the gaps in and weaknesses of existing literatures which this thesis attempts to plug – or indeed the strengths of such literatures – the literature review component is most acutely evident in chapters Two and Three, which critique literatures drawn from the fields of IR,

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deterrence theory and Iranian Studies, as well as policy discourse (namely, in the forms of political punditry, journalism, state policies, and think-tank analysis).

Thesis Objectives & Chapter Outline

The primary objectives of this thesis (addressed in more or less sequential order) are:

1. To introduce some of the contemporary views of Iran's *ulama* concerning nuclear weapons and other WMD found in primary and secondary sources.
2. To demonstrate and argue the need for an alternative framework for analysing the origin and trajectory of strategic preferences towards nuclear weapons in the Islamic Republic of Iran, in light of a deconstruction of existing literatures, and critical engagement with two dominant paradigms for viewing nuclear weapons.
3. To identify and deconstruct some of the normative and historical sources for contemporary Muslim thinking on nuclear weapons and other weapons capable of mass destruction in the Islamic Republic of Iran, and determine the limits of how ethical and legal parameters of warfare contained in Islam are capable of constraining Iran's strategic preferences related to nuclear weapons.
4. To provide an alternative framework for analysing the Islamic Republic's strategic preferences concerning nuclear weapons based on a closer examination of Islamic sources and Shi'i theologies of warfare (pre- and post- Iranian Revolution). This can become a basis for framing contemporary assessments of how Iran's clerics might shape the country's nuclear policies.
5. To assess the contemporary views of Iran's *ulama* concerning nuclear weapons using this analytical framework, and beyond the paradigms of orientalism and realism.

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In Chapter One I briefly introduce the views of Iran's *ulama* concerning nuclear weapons and other weapons of mass destruction (WMD), and provide some context for the intellectual and social milieu within which these views came to emerge from.

In Chapter Two and Chapter Three, I argue that the epistemic boundaries which discipline the study of nuclear weapons proliferation and deterrence according to Eurocentric definitions of actor rationality – which I refer to as the ‘deterrence parameter’ – generate a structural theory of nuclear proliferation which inevitably either relegates the Islamic Republic to being an alien and irrational theocracy, or a ‘like-unit’. Specifically, I make the case across these two chapters that situating Iran's nuclear programme within pre-existing models of proliferation and nuclear strategy are inadequate. As will become clear, a high proportion of the evidence surveyed in these two chapters derives from policy discourse and commentary – predominantly in the form of editorials, op-eds and news articles. While these chapters do consider academic literatures on the topic, the focus on public discourse highlights more clearly the inadequacy of utilising existing paradigms for understanding Iran's strategic preferences. In many instances encountered in academic literature, representations of Iran were more understated than they were assertive in the sense that they referred to pre-existing forms of knowledge about Iran and Muslims which owe as much to the internalisation of a long history of orientalism within Anglo-European-American social sciences, as they do the expression (and normalisation) of these ideas at the level of public discourse by influential journalists and think-tanks. It is this type of public expression which permits certain images of Iran and representations of the Islamic faith to be taken as self-evident in the course of more academic discussions of its nuclear programme (or nuclear proliferation more generally), and therefore unworthy of in-depth critique.

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In Chapter Two specifically, I focus on the impact of orientalism on threat assessment in the context of Iranian strategic preferences and its nuclear programme. Here I demonstrate that threat assessments of Iran and its nuclear programme draw heavily from prevailing images of Iranian and Islamic irrationality. These images are conjured by experts and commentators in order to posit that Iran – by virtue of being an Islamic Republic – would not be deterred from either obtaining or using nuclear weapons.

In Chapter Three, I focus on how the epistemological boundaries of the deterrence parameter and its resultant ontologies running counter to those of orientalism – such as deterrence theory and realist nuclear strategic discourse concerning nuclear proliferation – engender a similarly unsatisfactory assessment that religion plays a negligible role in defining Iranian strategic preferences. It is in this realist account that religion is constructed more as the indigenous legitimization of otherwise universal strategic drivers of military policy. This chapter places the analysis in Chapter Two of existing literature on Iran's nuclear programme and post-Revolutionary strategic and foreign policies choices within a much wider analysis of the discourses surrounding nuclear weapons use, deterrence and proliferation, as they are constituted within specific epistemic boundaries of Eurocentrism. I use Benoît Pelopidas' critique of 'automaticity' in what he labels the nuclear "proliferation paradigm"⁵³ as a device for framing my own critique of how many theorists, analysts and policy-makers consider Iran's nuclear strategies as an inevitable outcome of international systemic factors and *realpolitik*, and ultimately avoid engaging with the religious aspects of its strategic preferences on their own terms. This device also allows for me to highlight the types of views that are challenged by my critical reading of Islamic views on nuclear weapons and other WMD. These views, I will argue, can devalue the normative construction of nuclear weapons as being necessarily the most 'modern' of weapons available to states, and as a marker of

⁵³ Benoît Pelopidas, "The Oracles of Proliferation", *The Nonproliferation Review*, Vol. 18, No. 1, 2011, p. 297.

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high civilisations. In line with Nick Ritchie's definition of 'devaluation', these religious views can help "diminish the perceived positive effects of the possession and operation of nuclear weapons".⁵⁴

Taken together, these two chapters highlight the inadequacy of the most prevalent approaches to understanding Iranian strategic preferences related to nuclear weapons. They offer few insights into the origins and direction of Iranian strategic thinking beyond ethnocentric polemics related to how best to situate the 'other' in the global nuclear order, and in particular, what Iran's clerics might think about nuclear weapons. I argue in these chapters against situating Iran's strategic preferences concerning nuclear weapons solely within traditional theories of nuclear weapons use, proliferation, and deterrence, or conventional discourse. Consequently, most accounts of Iran's nuclear programme are unable to incorporate religion – and particularly Islam – outside of the variable of 'irrationalism'.

Given the inadequacy of the two dominant approaches at understanding Iranian strategic preferences, and given that the Qur'an and *sunnah* of the Prophet and Twelve Imams are obviously silent on whether nuclear weapons specifically are permissible or impermissible in Islam, Chapter Four provides an Islamic framework for analysing how military jurisprudence is formed and shaped. I introduce three levels of analysing Islamic views regarding weapons capable of mass destruction, both past and present: Qur'anic ontology, secondary sources, and theology. Some of the historical case studies examined here centre on incidents catalogued in Islamic scripture, *ahadith* or other secondary historical accounts which affirm when and where weapons capable of mass destruction were used, when and where they were not, and the verdicts concerning these weapons by the leading religious authorities of the time. The chapter offers a glimpse into how and why the Islamic legal parameters which

⁵⁴ Nick Ritchie, "Valuing and Devaluing Nuclear Weapons", *Contemporary Security Policy*, Vol. 34, No. 1, p. 166.

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regulate the conduct of war change as a response to revolutions in military technology, or strategic imperatives. The chapter pays close attention to the Islamic laws which govern the use or non-use of weapons capable of mass destruction.

I draw from these examples and Muslim sources in constructing an analytical framework for assessing the significance of contemporary Islamic views on nuclear weapons and other WMD in Iran, and ultimately how strategic preferences might look if Islam has an impact on the Islamic Republic of Iran's policy-making process. This analytical framework will be put to use as I deconstruct Iranian views on nuclear weapons and other WMD in Chapter Five. This approach also briefly considers points of convergence between the 'Islamic' positions of clerics, and the views of a key Iranian cultural theorist whose views arguably also impact Islamic discourse on nuclear weapons in Iran (namely, Jalal Al-e Ahmad⁵⁵), or at least have been consequently narrated as having an impact. By introducing the Sunni legal mechanism of *maslahah* in the 20th century, Shi'i-Islamic scholars such as Khomeini allowed contemporary law-making in Shi'ism to take into account the 'public interest', massively altering the relationship between the *ulama* and the state.⁵⁶ This accentuated the *fatwa* as a

⁵⁵ See Arshin Adib-Moghaddam, *On the Arab Revolts and the Iranian Revolution: Power and Resistance Today*, London: Bloomsbury Publishing, 2013, p. 121; Hamid Enayat, *Modern Islamic Political Thought: Modern Islamic Political Thought: The Response of the Shi'i and Sunni Muslims to the Twentieth Century*, London: I.B. Tauris, 2009, p. 92; Hamid Algar, *Roots of the Islamic Revolution in Iran: Four Lectures by Hamid Algar*, New York: Islamic Publications International, 2001, p. 85.

⁵⁶ An alternative view put forth by Asma Afsaruddin is that Khomeini retrieved *maslahah* from "proto-Shi'i considerations of the public good, which [...] undergirded early debates about the succession to the Prophet among the supporters of both Abu Bakr and Ali" (Asma Afsaruddin, "Maslahah as a Political Concept", in Mehrzad Boroujerdi (ed.), *Mirror for the Muslim Prince: Islam and the Theory of Statecraft*, New York: Syracuse University Press, p. 30). Yet this genealogy of *maslahah* assumes a rationalist foundation for early discussions related to succession to the Prophet, which were informed to a much larger extent by mysticism and eschatology. In Hamid Enayat's view, for the partisans of Ali at this time, "the problem of the leadership of the community was too vital to be left to the deliberations of ordinary individuals who might choose the wrong person for the position, thereby countering the purpose of the divine revelation" (Enayat, *Modern Islamic Political Thought*, p. 5).

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political text in the Islamic Republic of Iran, contingent on an assessment of strategic benefit.⁵⁷ It also introduced an explicit doctrine capable of governing pragmatism and expediency at times of war to a revolutionary Shi'i theology of 'just rule' and security in the age of the Occultation. If *fatawa* concerning matters of military jurisprudence are to be read as political texts today, the *fatwa* must itself be understood as an outcome of a constantly moving assessment by scholars of religious law in the shadow of governance and nationhood – a process dissected in an historical context in Chapter Five. For this reason, an analytical framework is of greater currency than a normative statement of what is or is not 'Islamic' military policy, particularly if we wish to understand. Instead of narrowing our reading of these *fatawa*, we can use them to help us understand how clerics view international security and Iran's own survival.

I will argue in Chapter Five that contemporary views among Iran's *ulama* challenge the essentialist (and ultimately orientalist) view of Islamic laws concerning weapons of mass destruction and warfare critiqued in Chapter Three. Both perspectives situated within the deterrence parameter – realism and orientalism – imply that there exist primordial sources for Islamic laws of warfare, and that these laws will subsequently be rigid and therefore unresponsive to changes in the international system. In orientalist accounts specifically, these imply that Islamic laws of war encourage expansionism or irrational martyrdom tactics in securing wholly other-worldly goals, and that violent conflict between Muslim and non-Muslim societies is at the least to be expected, and at the most inevitable. This chapter therefore also provides an updated theological and political context for viewing contemporary legal opinions in Iran concerning weapons capable of mass destruction and nuclear weapons

⁵⁷ See Bahman Baktiari, "Iran: Shari'a Politics and the Transformation of Islamic Law", in Robert W. Hefner (ed.), *Shari'a Politics: Islamic Law and Society in the Modern World*, Bloomington: Indiana University Press, 2011, pp. 126-127.

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beyond the trappings of orientalism. Finally, with regards to individual scholarly agency in the Islamic Republic of Iran on national and international security policy-making, I will place these arguments in the context of repeated failure of IR and policy commentary more broadly to adequately explain of the impact that Iran's *ulama* could have in governing (and ultimately restraining) the country's nuclear intentions, and suggest a new starting point for viewing religious influence on Iran's strategic preferences. Verdicts on nuclear weapons and other weapons of mass destruction should be read in order to understand Islamic parameters within which the proliferation, use or non-use of nuclear weapons by the Islamic Republic would be legitimised by the *ulama*. When reading the *fatawa* of religious scholars in Iran today using the Islamic framework developed in Chapter Four, five central themes emerge:

1. Islamic first principles on nuclear weapons.
2. *Maslahah* and the 'state of exception'.
3. Deference to the *wali al-faqih*.
4. Analogical reasoning.
5. Tactical and strategic modernity.

I conclude this thesis with a summary of what the critical approach to understanding Islamic laws of warfare and weaponry can reveal about how Islamic law and Islamic ideology can potentially impact Islamic Republic of Iran's policies towards nuclear weapons or other weapons of mass destruction. This conclusion section also offers highlights some of the contributions of this thesis to the study of Iranian strategic preferences, and recommendations for further research in the future.

Chapter One: Contemporary Islamic Views on Nuclear Weapons and

WMD

Let me assure you that the Iranian nation seeks to utilize nuclear technology in a peaceful way on the basis of its Eastern and Islamic integrity.⁵⁸

Introduction

This brief chapter introduces the perspectives concerning nuclear weapons from among the Shi'i *ulama*. These views are mostly derived from the *maraji* (singular: *marja al-taqlid*): 'sources of emulation' to whom the Shi'a look towards for guidance on religious issues. They are found in open sources such as official statements in English, Arabic and Farsi,⁵⁹ books and articles. While for the most part these perspectives belong to clerics born or based in Iran, some views belong to clerics born or based outside the country (namely, from inside Iraq). Additionally, religious opinions concerning other WMD – chemical and biological weapons in particular – are also included given the proximity of these ethical dilemmas to those

⁵⁸ Ali Larijani, "Speech by Ali Larijani, Iran's Secretary of National Security Council", *Journal of the European Society for Iranian Studies*, Vol. 1, No. 1, 2005, p. 131.

⁵⁹ I am indebted to Steve Ditto for his article "'Go, Learn About Atoms": Iranian Religious Discourse on Nuclear Weapons, 1962-Present", June 2013, <http://web.archive.org/web/20160515162421/https://selfscholar.files.wordpress.com/2013/03/irandiscourse5.pdf> [Accessed 08.06.16], which includes English translations of a number of *fatawa* from Shi'i *ulama* concerning nuclear weapons and weapons of mass destruction. To avoid duplicating Ditto's efforts in translation, I have relied on these English translations provided by Ditto, but have also included citations of the original Arabic and Farsi sources where the original *fatawa* can be found.

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presented by nuclear weapons, albeit on a smaller scale (see more in the following section of this chapter).

In the conclusion, I outline some common themes in contemporary Islamic views on nuclear weapons and other WMD. These common themes will be referred to in later chapters as I attempt to discern a counter-narrative of the impact that religious agency and discourse can have on Iran's policies towards nuclear weapons.

Nuclear Weapons as an Ethical and Religious Problem

At this point it is necessary to briefly sketch the humanitarian impact of nuclear weapons. This will provide a basic point of reference for our analysis in subsequent chapters for how Islamic discourse – through appealing to certain ethical and humanitarian principles outlined in Islamic sources of law – can influence Iranian strategic preferences today concerning nuclear weapons. This section is also necessary in order to provide an account of what features of a nuclear explosion renders these weapons so problematic from an ethical or religious perspective.

Out of the cumulative impacts that nuclear weapons cause, probably the most well-known in the public psyche – due in large part to depictions of nuclear weapons in popular culture⁶⁰ – is the release of immense levels of radiation. Yet when breaking down the impact of a nuclear detonation, the effects of radiation only comprises approximately 15% of the immediate impact, in contrast to the blast itself (50%) and thermal radiation (35%).⁶¹ Moreover, the impact of radiation – while devastating – is more of a long-term impact than short to medium

⁶⁰ See A. Bowdoin Van Riper, *Science in Popular Culture: A Reference Guide*, London: Greenwood Publishing Group, 2002, pp. 229-231.

⁶¹ John E. Pike, "Nuclear Weapon Effects", *Federation of American Scientists*, 21 October 1998, <http://web.archive.org/web/20160320135153/http://fas.org/nuke/intro/nuke/effects.htm>

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term one. Given the scenario of a 5 megaton nuclear explosion in a major city, one expert projects the following more immediate damage:

Within a thousandth of a second, conditions akin to the centre of the sun would be produced —100 million °C and 100 million atmospheres of pressure in a fireball, which would rapidly expand to 1.8 km across, releasing a massive burst of radiation, heat, light, and blast. [...]

Within a distance of 4.7 km in every direction, winds of 750 km/h and a blast wave over 140 kPa would crush, collapse, or explode all buildings including those of steel and reinforced concrete and turn the debris into missiles with lethal velocity. Glass and steel would melt; concrete would explode. Wherever they were, all living things would die almost immediately—vapourised, crushed, charred, irradiated.⁶²

In sum, “[n]uclear weapons are very big, dirty, nasty weapons that go bang and make a lot of mess.”⁶³

Despite the evidence we now have from the bombings of Hiroshima and Nagasaki, decades of nuclear tests, and more recently the extensive research done as part of the humanitarian impacts of nuclear weapons initiative,⁶⁴ exactly what distinguishes nuclear weapons from other weapons is still not fully understood in discourse, as evidenced by the now infamous ‘WMD *fatwa*’ from Sheikh Nasir al-Fahd. In this *fatwa*, al-Fahd advocated that Muslims acquire nuclear weapons and other WMD with reference to a *hadith* where the Prophet is reported to have said that “God has enjoined benevolence on everything. If you kill, kill in a good manner. If you slaughter animals, slaughter in a good manner; let the slaughterer

⁶² Ruff, “The Health Consequences of Nuclear Explosions”, p. 23.

⁶³ Annika Thunborg, “Face to Face with Patricia Lewis: Reflections on Gender, the CTBTO and Nuclear “Danse Macabre”, *CTBTO Spectrum*, Issue 17, September 2011, p. 15.

⁶⁴ See Heather Williams, Patricia Lewis and Sasan Aghlani, *The Humanitarian Impacts of Nuclear Weapons Initiative: The ‘Big Tent’ in Disarmament*, Chatham House, March 2015.

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sharpen his blade and put his victim at ease.”⁶⁵ The rationale used in support of nuclear weapons expressed by al-Fahd was therefore that these weapons – by virtue of being the most powerful in existence – are more humane than other weapons due to the ease with which they can kill.

Al-Fahd’s view of nuclear weapons can be considered as archaic; evidence of the extent to which these weapons have become mythologised since 1945, and how contemporary discourse about these weapons often does not reflect their actual characteristics. It is certainly accurate that nuclear weapons are unprecedented in the history of military technology in terms of the sheer scale of indiscriminate destruction they are capable of causing. One estimate has quantified the damage done by all explosives used in every war prior to the Second World War as being the equivalent of around 10 megatons (10 million tonnes of TNT). By comparison, the largest nuclear test ever conducted – Tsar Bomba – amounted to 50 megatons: five times as much as all of the explosive force used in all previous wars prior to the Second World War.⁶⁶

At the same time however, these weapons represent an anomaly in the trajectory of revolutions in military technology: as weapons have become ‘smarter’, smaller, and more precise, nuclear weapons have remained based on outdated technology, cumbersome and imprecise. As one nuclear historian writes:

[i]n the story of evolution, it wasn’t the biggest beasts that ended up ruling the earth. The brontosaurus and *Tyrannosaurus rex* were awe-inspiring creatures. But they proved no match

⁶⁵ Nasir Bin Hamd al-Fahd, *A Treatise on the Legal Status of Using Weapons of Mass Destruction Against Infidels*, May 2003, p. 7. Archived at <https://ia600302.us.archive.org/24/items/NasirAlFahd/NasirAl-fahd-TheRulingOnUsingWeaponsOfMassDestructionAgainstTheInfidels.pdf> [Accessed 19.04.16]

⁶⁶ Tilman A. Ruff, “The Health Consequences of Nuclear Explosions”, in Beatrice Fihn (ed.), *Unspeakable Suffering – the Humanitarian Impact of Nuclear Weapons*, Geneva: Reaching Critical Will, 2013, p. 17.

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for changing circumstances and smaller, smarter, more adaptable species. Nuclear weapons are awe-inspiring weapons. But they seem equally unable to adapt.⁶⁷

Despite the problems inherent to conflating the massive destruction nuclear weapons are capable of causing with modernity, proponents of deterrence – including those surveyed in Chapter Three – would argue that Fahd’s characterisation of nuclear weapons is accurate. In both views furthermore, it is precisely because nuclear weapons are capable of such *indiscriminate* destruction that they derive their deterrent value. Many realists therefore dismiss the ethical and humanitarian critique of nuclear weapons as misguided. It is the deterring effect of nuclear weapons they argue, through the promise of mutually assured destruction, which provides for the most stable and peaceful balance in the international ‘system’. States not in possession of nuclear weapons might choose to rely on nuclear weapon possessors for their security, but can only ensure their security independently through acquiring their own strategic nuclear weapons arsenals. Nuclear weapons, far from being unethical, are in this narrative of ‘nuclear necessity’⁶⁸ one of the most vital tools in preventing not only nuclear but also conventional war.⁶⁹

Although nuclear weapons are unique in terms of the potential scale of their destruction, there are certain ethical and humanitarian parallels to be found in early discussions within Islam concerning the use of military technologies – some of which cutting edge at the time – that

⁶⁷ Ward Wilson, *Five Myths about Nuclear Weapons*, New York: Houghton Mifflin Harcourt, 2013, p. 123.

⁶⁸ Ward Wilson, “The Myth of Nuclear Necessity”, the *New York Times*, 13 January 2013, <http://web.archive.org/web/20160208151951/http://www.nytimes.com/2013/01/14/opinion/the-myth-of-nuclear-necessity.html>

⁶⁹ For a critique of these views, see Ibid; Ward Wilson, *Five Myths about Nuclear Weapons*. For an exposition, see Kenneth N. Waltz, “Chapter 1: More May Be Better”, pp- 1-46, and “Chapter 4: Waltz Responds to Sagan”, pp. 93-114, in Sagan and Waltz (eds.), *The Spread of Nuclear Weapons*; Bruno Tertrais, “In Defense of Deterrence: The Relevance, Morality and Cost-Effectiveness of Nuclear Weapons, *Proliferation Papers*, Institut Francais des Relations Internationales, Security Studies Center, Fall 2011, p. 19.

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can cause mass destruction. The legality and ethics of using incendiary weapons (*naft*); bio/chemical weapons (i.e. catapulting diseased animals or human corpses into enemy cities and garrisons, or poisoning wells); siege weaponry such as the trébuchet (*manjaniq*); and tactical or strategic doctrines of ‘retaliation in kind’; all present questions of an humanitarian nature stemming from the mass destruction they can create (see Chapter Four). What is to be done, for instance, if Muslims are unable to distinguish between combatants and non-combatants when attempting to secure a strategic objective? Which ‘referent object’ or ‘state of exception’ could possibly be invoked to justify the mass casualties of dozens, hundreds or even thousands of individuals who may not be directly involved in an armed conflict?

Quietism and the Birth of Iran’s Nuclear Programme

One striking feature of the verdicts and views concerning nuclear weapons and other WMD is that they are all relatively recent (from the 1980s onwards). Before considering evidence of Islamic views of nuclear weapons and other WMD as evidenced emerging from the *ulama* and certain Iranian politicians, a few words regarding the relatively recent emergence of these views are warranted.

There is not necessarily a direct correlation between the abrupt entry of the *ulama* into debates concerning nuclear weapons proliferation and the victory of the Revolution in 1979. Though the systematic engagement of Iran’s seminaries with political and strategic issues has become more pronounced recently, Iran’s *ulama* do have a history of exercising political influence when they have believed it to be necessary. Instances or issues which provoked Iran’s *ulama* to use their religious authority to achieve certain political goals have varied considerably. During the First Perso-Russian War (1804-13), Mirza Abbas Nuri had sent Hajji Mulla Baqir Salmasi and Sadr al-Din Muhammad Tabrizi across Iran in search of

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fatawa which framed the war as religious duty,⁷⁰ and collated these verdicts into a volume titled *Risala-yi Jihadiyah* ('Instructions on *Jihad*').⁷¹ What is of note about this episode is that while it highlights the co-option of religious authority by government as a way of lending secular legislation and policy a new dimension of legitimacy, it also points to a more complex relationship built upon mutual-interest. Algar notes that the war had already been going on for a long time before these declarations emerged,⁷² and that religious political agency through Islamic law-making might have had less to do with 'dire necessity' and more to do with intra-dynastic rivalries:

[i]t appears possible that now with the declaration of jihad, 'Abbas Mirza sought to turn the weapons of religious pressure against his brothers [...] [b]y the proclamation of jihad, he may have hoped to force his brothers into action, leaving them the choice of openly neglecting their religious duties or abandoning their intrigues against him. The ulama for their part could have had little objection of jihad against an aggressive infidel power.⁷³

Without implying a linear trajectory of political agency among Iran's *ulama* (i.e. from quietism to politicisation), a healthy academic literature documenting the existence and nature of the clergy's political activism does exist in the context of a number of important historical changes in Iran, such as the Tobacco Protests (1891-92)⁷⁴ and the Constitutional

⁷⁰ Hamid Algar, *Religion and the State in Iran 1785-1906*, Berkeley: University of California Press, 1969, p. 79

⁷¹ Ibid, p. 79

⁷² Ibid, p. 80.

⁷³ Ibid, p. 80.

⁷⁴ See for instance Algar, *Religion and State in Iran 1785-1906*, pp. 205-221; Mansoor Moaddel, "Shi'i Political Discourse and Class Mobilization in the Tobacco Movement of 1890-1892", *Sociological Forum*, Vol. 7, No. 3 (September), 1992, pp. 447-468; Nikki Keddie, *Religion and Rebellion in Iran: the Tobacco Protest of 1891-92*, Routledge, 2012. For a brief summary of this discussion in the context of 'modernist' trends in Islamic Studies, see Andrew J. Newman, *The Formative Period of Twelver Shi'ism: Hadith as Discourse Between Qum and Baghdad*, Oxford: Routledge, 2000, pp. xiv-xviii.

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Revolution (1905-11).⁷⁵ Other more historiographical accounts have depicted the role of individual clerics in the rise and fall of Prime Minister Mohammad Mossadegh.⁷⁶

Nuclear technology took on an explicit strategic-military dimension with the bombing of Hiroshima and Nagasaki by the United States in 1945, and provoked immediate ethical and humanitarian concerns which demanding religious guidance across different faiths. In the United Kingdom for example, the Archbishop of Canterbury was “inundated” with communications which urged the Church of England to disassociate itself with these bombings.⁷⁷ What we find in the case of Iran’s seminaries is that in spite of a record of political activism (and often outspoken opposition), the advent of nuclear technology itself (whether in the harnessing of atomic energy for either civilian or military purposes) coincided with what was a prolonged era of political quietism which showed little sign of abating.

Only upon the arrival of Ayatollah Abdolkarim Haeri Yazdi’s to Qom in 1921 did its seminaries begin a radical overhaul and experience substantial growth, with some considering his arrival as the beginning of the foundation of the ‘modern *hawza*’ there.⁷⁸ Many aspiring

⁷⁵ See Abdol Karim Lahidji, “Constitutionalism and Clerical Authority”, in Said Amir Arjomand (ed.), *Authority and Political Culture in Shi’ism*, New York: State University of New York Press, 1988, pp. 133-158; Mateo Mohammad Farzaneh, *The Iranian Constitutional Revolution and the Clerical Leadership of Khurasani*, New York: Syracuse University Press, 2015; Vanessa Martin, *Islam and Modernism: The Iranian Revolution of 1906*, London: I.B. Tauris, 1989.

⁷⁶ See for instance assessments of the importance of Ayatollah Kashani in events leading up to the 1953 Iran coup in Christopher de Bellaigue, *Patriot of Persia: Muhammad Mossadegh and a Very British Coup*, London: Vintage, 2013; Stephen Kinzer, *All the Shah’s Men: An American Coup and the Roots of Middle East Terror*, Hoboken: John Wiley & Sons, 2011; Ali Rahnema, *Behind the 1953 Coup in Iran: Thugs, Turncoats, Soldiers, and Spooks*, Cambridge: Cambridge University Press, 2014.

⁷⁷ Diane Kirby, “The Church of England and the Cold War Nuclear Debate”, *Twentieth Century British History*, Vol. 4, No. 3, 1993, p. 252; Edward Carpenter, *Archbishop Fisher: His Life and Times*, Canterbury: Canterbury Press, 1991, p. 374.

⁷⁸ Ismail Baghistani, Ali Akbar Dhakiri, Sayyid Abbas Radawi, “Qum”, in Gholamali Haddad Adel, Mohammad Jafar Elmi, and Hassan Taromi-Rad (eds.), *Hawza-yi ‘Ilmiyya: Shi’i Teaching Institution (An Entry from Encyclopaedia of the World of Islam)*, EWI Press, 2012, p. 41.

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mujtahidin began to make the choice of studying in Qom rather than Najaf in order to complete their higher religious education; among the most prominent being Khomeini, Mohammad Reza Golpayegani (later a candidate to succeed Khomeini as Supreme Leader), Mohammad Ali Araki, and Abolhasan Rafi'i Qazwini.⁷⁹

There is scant recorded evidence that nuclear technology was subject to any in-depth legal or ethical debate in the seminaries of Qom in the first decades at least. Given the infancy of the *hawza* in Qom at the time that nuclear technology first emerged, this lack of scholarly opinion on the issue is unsurprising. We can however contrast the particular disinterest among the *ulama* towards issues related to nuclear technology with the proactive political stance some clerics – such as Ayatollah Kashani – took on oil nationalisation in the early 1950's.⁸⁰ Future Prime-Minister Mohammad Mossadeq would read out a statement from the Ayatollah in June of 1950, declaring that Iranians were to do with their oil supply and revenues “as they saw fit”.⁸¹

The silence of Islamic law and discourse concerning nuclear technology early on points to the reactive and responsive – as opposed to proactive – nature of *ijtihad* as a process for formulating new Islamic laws. Islamic scholars would engage with the nuclear issue only as Iran's own circumstances changed enough for such questions to be of practical significance for the nation, and for the clergy. The early status of nuclear technology as the monopoly of the world's most economically developed states, not to mention the decrepitude of Iran's industrial capacity and scientific research sector at the time, did not permit a natural environment within which questions regarding the ethical and religious dimensions of

⁷⁹ Ibid, pp. 41-42.

⁸⁰ de Bellaigue, *Patriot of Persia*, p. 151; Mousavian, *Iran and the United States: an Insider's View on the Failed Past and the Road to Peace*, London: Bloomsbury Publishing, 2014, p. 50.

⁸¹ de Bellaigue, *Patriot of Persia*, p. 142.

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potential Iranian nuclear proliferation were deemed worthy of discussion. As Mohammad Gholi Majd highlights in his study of Iran prior to 1945, despite the country's massive oil wealth, the policies of Reza Shah and Mohammad Reza Shah – in addition to a recent history of economic exploitation by the United Kingdom and Russia in particular – prevented an industrial economy from emerging in that period.⁸² Even recently as Shi'i *fatawa* have come to address emergent areas of science and technology, such as stem cell research⁸³ or in vitro fertilisation treatment (IVF),⁸⁴ verdicts have generally appeared once there has been a diffusion of these technologies to the Muslim world. In both these instances, interaction at the level of society using Islamic discourses on kinship and bioethics with these issues these issues was something quite different to the legal debate that later addressed both stem cell research and IVF. Again, this highlights the formulation of Islamic law as a reactive and adaptive process rather than as a pre-emptive one. In a similar regard, it is understandable that Muslim scholars would only produce rulings for Islamic practises in space (i.e. instructions for identifying the direction of prayer, etc.) with the advent of Muslim astronauts and the space programmes of majority Muslim nations, rather than with the first emergence of space technology.⁸⁵

Even if Qom had been a fully-fledged *hawza* on equal footing with Najaf by the time that nuclear weapons technology was violently unveiled to the world, there are intellectual and pedagogical reasons for why it would have still been unlikely that Iran's *ulama* would have

⁸² Mohammad Gholi Majd, *Great Britain & Reza Shah: The Plunder of Iran, 1921-1941*, Gainesville: University Press of Florida, 2001, p. 149.

⁸³ See Mansooreh Saniei, "Human embryonic stem cell science and policy: The case of Iran", *Social Science & Medicine*, Vol. 98, pp. 345-350.

⁸⁴ See Morgan Clarke, *Islam and new kinship: reproductive technology and the shariah in Lebanon*, New York: Berghahn Books, 2009.

⁸⁵ See Bettina Gartner, "How Does an Islamic Astronaut Face Mecca in Orbit?", *Christian Science Monitor*, 10 October 2007, <http://web.archive.org/web/20160419133136/http://www.csmonitor.com/2007/1010/p16s02-stss.html> [Accessed 09.06.16]

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had much to say at the time concerning the issue. Both the peaceful and military use of nuclear technology did leave an impression on many of those that would later go on to lead and form the intellectual basis of resistance to the Shah's regime in 1979. At the time of 1945 however - whether through their own volition or due to the pressures of the *hawza* - most clerics pursued their research and teaching through the narrow lens of legalism, divorced from philosophical and certainly political inquiry. A year after the bombing of Hiroshima and Nagasaki, Ayatollah Hossein Tabatabaei Borujerdi took over the 'leadership' of the *hawza* in Qom. With Borujerdi's ascendancy, "the leadership [...] of the Shi'a devolved entirely on him", and crucially, to a single religious figure for the first time since the lesser occultation.⁸⁶ While this cemented Qom's proximity at the heart of Shi'i learning and jurisprudence, it would be many decades until scholars would give opinions on some of the rapid economic and political changes that were underway in Iran. The intellectual environment in Qom would remain rigidly conservative, with students forbidden even from reading Rumi's *Mathnawi*: a book of mystical poetry "which had to be removed with pincers from the homes of pious Muslims".⁸⁷ One particular anecdote told by Khomeini stands out in revealing some of the attitudes towards those studying subjects other than the traditional fields of *fiqh* at the seminaries while he had taught in Qom:

[l]earning a foreign language was seen as blasphemous; and philosophy and gnosticism were considered sinful and polytheistic. In Faydiyyah Madrasa my infant son, the late Mustafa,

⁸⁶ Said Amir Arjomand, "Ideological Revolution in Shi'ism", in Arjomand (ed.), *Authority and Political Culture in Shi'ism*, pp. 184-185.

⁸⁷ Baqer Moin, *Khomeini: Life of the Ayatollah*, London, IB Tauris, 1999, p. 46; Lloyd Ridgeon, "Hidden Khomeini: Mysticism and Poetry", in Arshin Adib-Moghaddam (ed.) *A Critical Introduction to Khomeini*, Cambridge: Cambridge University Press, 2014, p. 195.

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drank water from a jug; they then washed the jug. This they did because I taught philosophy!⁸⁸

Both the atomic age and the ascension of Borujerdi as *marja al-taqlid* coincided with Mohammad Reza Shah's efforts to transform the country – through coercion when necessary – into a modern state through economic and industrial restructuring built upon closer relations with the United States in particular. In 1957, Iran's government under the Shah signed an agreement that would pave the way for Iran's peaceful use of nuclear energy, and set an important marker in the minds of Muslim scholars who would later associate the entire programme with the Shah's regime.⁸⁹ This agreement "[m]ade possible by the general alignment between Tehran's and Washington's economic and political interests, and the spirit of the American Atoms for Peace initiative, laid the foundations for a nuclear Iran".⁹⁰ Nevertheless, while the United States would support the construction of enrichment facilities in Iran, it remained cautious over the prospect that Iran could eventually develop its own capacity for reprocessing – a necessary step towards producing weapons-grade plutonium. While it bore this particular concern, Seyed Hossein Mousavian argues that the potential military dimension (PMD) of Iran's nuclear programme at this time was not seriously confronted by the US.⁹¹ The agreement led to the US supplying Iran with a research reactor,

⁸⁸ Ruhollah Khomeini, *Kawthar Volume One: An anthology of the speeches of Imam Khomeini (r) including an account of the events of the revolution, 1962-1978*, Qom: Institute for Compilation and Publication of Imam Khomeini's Works, 2002, p. 22. The orthodox belief among many Shi'i at this time had been that sharing cooking and eating utensils with non-Muslims was *haram* unless they were thoroughly washed beforehand and therefore free of *najasa* (ritual impurity).

⁸⁹ Seyed Hossein Mousavian, *The Iranian Nuclear Crisis: A Memoir*, Washington D.C.: Carnegie Endowment for International Peace, 2012, pp. 40-41.

⁹⁰ Ibid, pp. 40-41.

⁹¹ Ibid, p. 41.

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fuelled by highly enriched uranium, in 1967.⁹² In 1973, the Atomic Energy Organization of Iran (AEOI) was created, and Mohammad Reza Pahlavi announced plans for Iran to be able to produce 23,000 MW of nuclear power by the year 2000.⁹³ In the year that followed, the Stanford Research Institute (SRI) published a study which recommended that Iran build nuclear reactors capable of 20,000 MWe before 1994, and the Shah upped his goal to generate 23,000 MW “as soon as possible”, and by the SRI’s recommended date.⁹⁴

Despite the 1960s and 70’s being a period of protracted nuclear planning and industrial reorientation (the Shah is believed to have wanted to diversify Iran’s energy sources),⁹⁵ the clergy still remained all but silent on the issue, despite having commented on other areas of the Shah’s policies in this area.⁹⁶ This silence would remain even by 1974, as Pahlavi said – and subsequently denied saying – that Iran would obtain nuclear weapons “without a doubt, and sooner than one would think”.⁹⁷

Following the Islamic Revolution of 1978-79, Iran introduced a Constitution that outlined in broad terms that defence and security policy be based around religious principles. Article 4

⁹² See the National Threat Initiative’s profile of the history of Iran’s nuclear programme, “Nuclear”, <http://web.archive.org/web/20160320141112/http://www.nti.org/learn/countries/iran/nuclear/> [Accessed 09.06.16]

⁹³ Ibid

⁹⁴ Muhammad Sahimi, “Iran’s Nuclear Energy Program. Part V: From the United States Offering Iran Uranium Enrichment Technology to Suggestions for Creating Catastrophic Industrial Failure“, *Payvand*, 22 December 2004, <https://web.archive.org/web/20160428165750/http://www.payvand.com/news/04/dec/1186.html> [Accessed 11.06.16]

⁹⁵ Roham Alvandi, *Nixon, Kissinger, and the Shah: The United States and Iran in the Cold War*, Oxford: Oxford University Press, 2014, p. 132.

⁹⁶ The Shah’s 19-point plan for reform set in 1963, also known as the ‘White Revolution’, was met with famous rebuke by Khomeini and other *ulama*, leading to the bloody crackdown at the Madrasa-e-Fayziyah in March 22. See Hamid Algar, “Introduction” in Hamid Algar (Tr., ed.), *Islam and Revolution I: Writings and Declarations of Imam Khomeini (1941-1980)*, Berkeley: Mizan Press, 1981, p. 16.

⁹⁷ Quoted in Kasra Naji, *Ahmadinejad: The Secret History of Iran’s Radical Leader*, London: I.B. Tauris, 2007 p. 115.

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states that military laws and regulations be “based on Islamic criteria”,⁹⁸ and Article 3 states one of the goals of the Islamic Republic as being to secure self-sufficiency in the military domain.⁹⁹ Furthermore, it outlines a specific body – the Supreme Council for National Security (SCNS) – tasked with “determining the defence and national security policies within the framework of general policies determined by the [Islamic] leadership”.¹⁰⁰ In principle, the Islamic Republic of Iran would have to at least entertain issues of strategic policy in the areas of defence and security from an Islamic perspective.

Today, in contrast to the clerical quietism concerning nuclear weapons and other political or strategic issues at the onset of the atomic age, clerics in Iran show keen interest in the direction of the country’s nuclear programme, and there is evidence that they are well-briefed on the issue as a result. Familiar ties between religious scholars and prominent politicians allows for a unique dynamic of interaction between the *hawza* and policy-making, including that related to national security. In one prominent example, Ayatollah Javadi-Amoli is the uncle of Ali Larijani, former secretary of the SNSC, and present Chair of the Majlis; Sadeh Larijani, Iran’s Chief Justice; and Mohammad Javad Larijani, Head of Iran’s Human Rights Council. Both Ali and Sadeh Larijani are furthermore married to the daughters of two prominent clerical families (Ali is the son-in-law of the late Mortaza Mutahhari, while Sadeh is the son-in-law of Ayatollah Khorasani).¹⁰¹ So embedded are this family within both

⁹⁸ Firoozeh Papan-Matin (Tr.), “The Constitution of the Islamic Republic of Iran (1989 Edition)”, *Iranian Studies*, Vol. 47, No. 1, 2014, p. 167.

⁹⁹ Ibid, p. 167.

¹⁰⁰ Ibid, p. 199.

¹⁰¹ Nour Samaha, “The Brothers Larijani: A Sphere of Power”, *Al Jazeera*, 9 June 2013, <http://web.archive.org/web/20150820174153/http://www.aljazeera.com/indepth/spotlight/2013/06/2013628374847373.html> [Accessed 11.06.16]

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policy and Iran's religious institutions that they have been described by Flynt and Hillary Mann Leverett as the country's "revolutionary aristocracy".¹⁰²

Meetings between senior religious scholars, diplomats and foreign representatives are common in Iran. In 2013, following the signing of an interim nuclear deal between Iran and the P5+1, Germany's Ambassador to Tehran Michael Freiherr von Ungern-Sternberg met with Ayatollah Makarem Shirazi in Qom, and both spoke about the nuclear issue.¹⁰³ The frequency of meetings such as this is significant, even though it is unlikely that – based upon what has been reported of that meeting in the public domain – Ayatollah Shirazi gave anything but an orthodox defence of Iran's programme as peaceful, or a general declaration of nuclear weapons as being *haram*.¹⁰⁴ Meetings and consultations on political matters also occur habitually between the *ulama* and Iran's political establishment. After Rafsanjani's bid to run for President in 2013 was turned down by the Guardian Council, he immediately travelled to Qom in order to meet with senior *ulama*.¹⁰⁵ Immediately following an interim nuclear deal was signed in November 2013, Foreign Minister Mohammad Javad Zarif visited Qom and met with Shirazi, Lotfollah Safi Golpayegani, and Ayatollah Javadi-Amoli. Crucially, Zarif opted – according to the Iran-based *Tasnim News Agency* – to also meet with Ayatollah Vahid Khorasani and Seyed Javad Shahrestani: the latter being Ayatollah Sistani's

¹⁰² Flynt Leverett and Hillary Mann Leverett, *Going to Tehran: Why the United States Must Come to Terms with the Islamic Republic of Iran*, New York: Metropolitan Books, 2013, pp. 214-215.

¹⁰³ "German Ambassador Meets with Ayatollah Makarem-Shirazi", *Islamic Republic of Iran Broadcasting*, 22 December 2010, <http://web.archive.org/web/20160419135007/http://english.irib.ir/radioislam/top-stories/item/172419-german-ambassador-meets-with-ayatollah-makarem-shirazi> [Accessed 09.06.16]

¹⁰⁴ "Dr Larijani meets with Ayatollah Mousavi-Ardabili", *Rasa News Agency*, 28 April 2014, <https://web.archive.org/web/20150219135336/http://www.rasanews.ir/en/NSite/FullStory/News/?Id=835> [Accessed 11.06.16]

¹⁰⁵ "Hashemi Rafsanjani Disqualified Leaves Tehran, Miffed or Fighting?", *Iran's View*, 21 May 2013, <http://web.archive.org/web/20150820172609/http://www.iransview.com/hashemi-rafsanjani-disqualified-leaves-tehran-miffed-or-fighting/708/> [Accessed 09.06.16]

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representative in Iran, and the former the most prominent cleric in Iran not associated with Khamenei's inner circle.¹⁰⁶ In April 2014, Ali Larijani met with Ayatollah Abdolkarim Mousavi-Ardebili to discuss the nuclear negotiations with the senior cleric,¹⁰⁷ and also briefed Golpayegani about developments.¹⁰⁸ Khorasani's statement that Saudi Arabia and Israel were the main obstacles which prevented Iran and the 'Permanent Five' members of the UN Security Council (USA, UK, France, China and Russia) and Germany (the so-called P5+1, or EU 3+3) from reaching a comprehensive nuclear deal in November 2014 can be interpreted as indication that he enjoys a close engagement with Iran's nuclear negotiation team than his reputation as a 'quietist' scholar would suggest.¹⁰⁹ The tone of Amoli's remarks during his meeting with Zarif also reveals insights into the role of religious scholars as vetters and legitimisers of strategic policy in the Islamic Republic today.

Having established this context, we may now proceed to consider views of the *ulama* concerning nuclear weapons and other WMD.

Clerical Views

The views of Iran's current Supreme Leader, Ayatollah Seyed Ali Khamenei, denote an unambiguous opposition to nuclear weapons possession, proliferation, and use under any circumstance. Although there has been recent controversy concerning the seeming absence of

¹⁰⁶ "Iran's Top Diplomat Confers with Senior Clerics", *Tasnim News Agency*, 29 November 2013, <http://www.tasnimnews.com/en/news/2013/11/29/206164/iran-s-top-diplomat-confers-with-senior-clerics> [Accessed 05.03.16]

¹⁰⁷ "Dr Larijani meets with Ayatollah Mousavi-Ardabili", *Rasa News Agency*, 28 April 2014, <https://web.archive.org/web/20150219135336/http://www.rasanews.ir/en/NSite/FullStory/News/?Id=835> [Accessed 11.06.16]

¹⁰⁸ "Speaker Calls on Negotiators to Safeguard Iran's N. Rights in Final Deal", *Tasnim News Agency*, 28 April 2014, <https://web.archive.org/web/20150219135527/http://www.tasnimnews.com/English/Home/Single/352562> [Accessed 12.06.16]

¹⁰⁹ "Ayatollah Vahid Khorasani Meets Doctor Kamali", *Farheekhtegan News Agency*, 28 November 2014, <https://web.archive.org/web/20150219135717/http://fdn.ir/content/view/99351/31/> [Accessed 08.06.16]

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a codified *fatwa* for public consumption,¹¹⁰ Khamenei has stated his religious opinion concerning nuclear weapons on numerous occasions with thousands of witnesses. Contrary to popular belief, this itself constitutes a *fatwa* and possesses even greater validity than a written document due to the number of authenticating witnesses.¹¹¹ For chronological purposes, Khamenei's *fatwa* has been dated by one witness – and member of the Guardian Council – Mohsen Esmaeili back to 1990.¹¹²

In 2005, Iran issued an official statement at the IAEA Board of Governors meeting that included communication of Khamenei's *fatwa* prohibiting the production, stockpiling, or use of nuclear weapons, pledging that Iran would “never” pursue them.¹¹³ Khamenei has expanded on his views in the following statement, published on his official website:

¹¹⁰ Yossi Melman & Meir Javandanfar, *The Nuclear Sphinx of Tehran: Mahmoud Ahmadinejad and the State of Iran*, New York: Basic Books, 2008, p. 98; Ali Ansari, “To Be or Not to Be: Fact and Fiction in the Nuclear Fatwa Debate”, *RUSI Commentary*, February 2013, <http://web.archive.org/web/20160608155520/https://rusi.org/commentary/be-or-not-be-fact-and-fiction-nuclear-fatwa-debate> [Accessed 08.06.16]; Lee Smith, “Iran's Missing Nuclear Fatwa”, *Tablet*, 25 April 2012, <http://web.archive.org/web/20160320143953/http://www.tabletmag.com/jewish-news-and-politics/97762/irans-missing-nuclear-fatwa> [Accessed 11.06.16]

¹¹¹ Indeed, President Obama stated his belief in the existence and importance of the *fatwa* in his 2015 Nowruz message, and high-ranking officials in his administration have also done so. See “Remarks with Jordanian Foreign Minister Judeh After Their Meeting”, *U.S. Department of State*, 13 November 2014, <http://web.archive.org/web/20160221162802/http://m.state.gov/md234054.htm> [Accessed 12.06.16]; “Remarks by President Obama on Nowruz”, *Office of the Press Secretary*, The White House, 19 March 2015, <http://web.archive.org/web/20160221163046/https://www.whitehouse.gov/the-press-office/2015/03/19/remarks-president-obama-nowruz> [Accessed 11.06.16]

¹¹² Mohsen Esmaeili, “Memories of the Religious Lessons of Ayatollah Khamenei”, *Official Website of Ayatollah Ali Khamenei*, 1 December 2012, <http://web.archive.org/web/20160428171739/http://farsi.khamenei.ir/others-memory?id=21665,%20translated%20by> [Accessed 08.06.16]. Translation by Steve Ditto in “Go, Learn about Atoms”, p. 20.

¹¹³ “Iran's Statement at IAEA Emergency Meeting”, *Mehr News Agency*. Republished by *Federation of American Scientists*, 10 August 2005:

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We are not after nuclear weapons. And this is not because they are telling us not to pursue these things. Rather, we do not want these things for the sake of ourselves and our religion and because reason is telling us not to do so. Both shar'i and aqli [related to logic and reason] fatwas dictate that we do not pursue them. Our aqli fatwa is that we do not need a nuclear weapon either in the present time or in the future. A nuclear weapon is a source of trouble for a country like ours¹¹⁴

An even more detailed account of the logic behind Khamenei's views, provided by Esmaili, proceeds as follows:

When he (Khamenei) arrived at the topic of jihad (religious scholars research the characteristics of jihad, its meritorious actions, and forbidden actions in jihad), he talked about the issue of "deploying poison" (ilqaa samm) in 20 of the lands of the polytheists (mushrikeen), and this is a well known [sic] issue. In the same year, 1369 (1990), His Eminence declared his position on nuclear weapons, and deploying poison in Muslim lands. Based on the compelling jurisprudential (fiqh) evidence, His Eminence believed that to take advantage of destructive and deadly chemical and nuclear weapons, had problems/doubts (eshkal) [...] We now observe that after twenty years, the Supreme Leader has returned to the topic, and repeatedly emphasized that there are problems (moshkel) both jurisprudentially and religiously, regarding the ruling of nuclear weapons. The importance here is his consistency in decision making.¹¹⁵

If we are to have confidence in Esmaili's account, Khamenei's *fatwa* possesses a number of striking characteristics which should be noted. First, Khamenei both recognises the strategic

<http://web.archive.org/web/20160221162126/http://fas.org/nuke/guide/iran/nuke/mehr080905.html> [Accessed 08.06.16]

¹¹⁴ "Reason is Telling us not to Pursue Nuclear Weapons", *Official Website of Ayatollah Ali Khamenei*, 9 April 2015, <http://web.archive.org/web/20160428172106/http://english.khamenei.ir/news/2303/Reason-is-telling-us-not-to-pursue-nuclear-weapons> [Accessed 11.06.16]

¹¹⁵ Ditto, "Go, Learn about Atoms", p. 20.

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benefit of using nuclear weapons, but also that there were ‘doubts’ concerning the Islamic legitimacy of using these weapons *regardless* of how they may serve strategic interests.

Second, his citation of the example of the Prophet having forbade the deployment of poisons in the territory of non-Muslims points to some elements of ‘analogical reasoning’ (*qiyas*) – at least in principle, if not as an explicit legal concept – in Khamenei’s own juridical position on nuclear weapons. The implications of this will be examined more thoroughly in Chapter Four. According to another of Khamenei’s verdicts, he indicates that he does not condone the killing of civilians even in the defence of ‘Islam’:

shedding the blood of a person whose life is inviolate is forbidden, and contravenes the laws of the genuine Islam of Muhammad. Thus it does not make sense to say that the preservation of the genuine Muhammadan Islam could ever depend on the killing of an innocent person.¹¹⁶

It is worth noting that from the evidence surveyed in this thesis, few religious scholars inside Iran have chosen to explicitly challenge Khamenei’s *fatwa* in public.¹¹⁷

The distinction made by a separate scholar between two Qur’anic concepts of war – *jihad* and *hirabah* – is also worthy of some attention. The second of these concepts refers, according to Ayatollah Mohammad Ali Taskhiri – a close advisor of Khamenei¹¹⁸ – to “the use of weapons, on land or sea, by day or night, to intimidate people, in a city or elsewhere, by a

¹¹⁶ Colin Turner (ed.), *Replies to Inquiries About the Practical Laws of Islam: The English Version of Ajwibah al-Istifta’at: Vol. 1*, London: Islamic Centre of England, 1998, p. 422.

¹¹⁷ One Member of Parliament, and current leader of Friday Prayers in Isfahan, Hujjat al-Islam Mohammad Taqi Rahbar, is alleged to have stated merely weeks later that the presence of proliferators in the region meant that there were no “Shari’a or legal restrictions on having such [nuclear] weapons as a deterrent”. See David Patrikarakos, *Nuclear Iran: The Birth of an Atomic State*, London: I.B. Tauris, 2012, pp. 218-219.

¹¹⁸ “A Short Biography of Sheikh Ali Taskhiri: the Secretary General of the World Assembly of Proximity for the Islamic Religious Sects”, Islamic Republic of Iran Culture House, n.d., <http://web.archive.org/web/20160609164153/http://newdelhi.icro.ir/uploads/aytullah-taskhiri-english.pdf> [Accessed 09.06.16], p. 4.

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male or female, strong or weak.”¹¹⁹ The term *hirabah* derives from the Arabic root *h-r-b*, which refers to the act of becoming enraged. As we will observe in Chapter Three, nuclear weapons are inextricably linked in both their use and threat of use to intimidation: the capacity of a state to instil fear in others that it can inflict unacceptable damage through obliterating its population. According to Taskhiri, nuclear weapons – as part of either a deterrence strategy, or tactical doctrine – by definition amount to terrorism.

Other senior clerics inside Iran reinforce a view that nuclear weapons do indeed have an intrinsic deterrent value, but also expound a view that nuclear weapons cannot guarantee security. Ayatollah Ja’far Sobhani rejects the use of nuclear weapons “even for deterrence purposes”, citing “the principles of Islam in regard to human beings and the respect it holds for mankind”.¹²⁰ With reference to the views of Allamah Hilli, Sobhani also contrasts what he sees as the Islamic parameters of Muslim strategic and tactical doctrines of warfare with the conduct of the United States in Hiroshima and Nagasaki:

This high degree of mercy and compassion conveys the mercy of Islam, however, the superpowers (today) have no qualms bombing oppressed people with napalm bombs, and other weapons of mass destruction. And how can it be forgotten what the United States did in World War II, when it bombed Hiroshima and Nagasaki with atomic bombs, which wiped out

¹¹⁹ Muhammad Ali Taskhiri, “Towards a Definition of Terrorism”, *al-Tawhid*, Vol. 5, No. 1, August-September 1987. Republished by *al-Islam*: <http://web.archive.org/web/20160220144059/http://www.al-islam.org/al-tawhid/vol5-no1-muharram-1408/towards-definition-terrorism-ayatullah-muhammad-ali-tashkiri-0> [Accessed 12.06.16]

¹²⁰ Cited by Ayatollah Abolqasem Alidoost in Abolqasem Alidoost, “The Religious Foundations of the Edicts (fatawa) by Shi’ite Jurists Prohibiting Weapons of Mass Destruction”, Conference on Nuclear Jurisprudence, Tehran, March 2014, http://web.archive.org/web/20160221195249/http://www.mfa.gov.ir/uploads/fatawa-text_32050.pdf [Accessed 08.06.16]

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nearly half a million people and deleted those countries from the map on the pretext of accelerating the end of the war, as Truman said in 1945?¹²¹

Ayatollah Ruhollah Khomeini's religious opinions on war more generally appear to differ from the absolute verdict on nuclear weapons produced by Khamenei, and the state of exception he conceives has potential ramifications for his position on nuclear weapons and other WMD:

[i]f a Muslim country is invaded or overtaken by the enemy, and the territory of Islam and its society are feared for, it is obligatory to defend it through any means possible, from wealth and lives [...] This does not depend upon the presence of an Infallible Imam, or the permission of his deputy – defense is obligatory upon every capable person, through any means, without restriction or condition.¹²²

Other examples point to Khomeini's actual behaviour as the Supreme Leader of a state at war with Iraq as being much more complex, regardless of the aforementioned state of exception he envisioned. Khomeini gave no indication at the outset of the Iran-Iraq war that the Iraqis would be held collectively responsible for Saddam Hussein's aggression – a choice irreconcilable with the core principles of nuclear deterrence. On the contrary, he seems to indicate that Iran's response would be wholly proportionate and calculated:

We always make it a point that our response to their attacks should be such that the Iraqi people are not harmed. But in case Iraq oversteps its limits and repeats its aggression, we are

¹²¹ Jaf'ar Sobhani, *Rasail wa Maqalat*, Vol. 2 [English: Instructions and Articles], Qom: Muassasat al-Imam al-Sadiq, n.d., p. 148. Republished by *e-Shia*:

<http://web.archive.org/web/20150820144223/http://lib.eshia.ir/26456/2/148>. Translation by Steve Ditto in "Go, Learn About Atoms", p. 16.

¹²² Ruhollah Khomeini, *Tahrir al-Wasilah*: Vol. 1 [English: Means of Salvation], Najaf: Matb'at al-Adab, 1970, p. 485. Republished by *e-Shia*:

<http://web.archive.org/web/20160430143846/http://ar.lib.eshia.ir/21010/1/485> [Accessed 09.06.16],. Translation by Steve Ditto in "Go, Learn About Atoms", p. 15.

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resolved and determined to mobilize the people and order them to fight. It will then become clear to the Iraqi people that we have nothing against them and that it is this Saddam Hussein who has attacked us on America's instigation. Our response to his attack will have nothing at all to do with the people of Iraq who are our brothers.¹²³

Further evidence that Khomeini saw it necessary for Iran to conduct its military operations according to Islamic standards can be found in his claim in 1982 that “were it not for their Islamic commitment and their desire to protect the innocent and their fear of destroying property belonging to the brotherly Iraqi nation”, Iran’s military could have inflicted far more damage against Iraq at that particular juncture.¹²⁴ In a 2014 interview with Gareth Porter, head of the Iranian Revolutionary Guards Corp (IRGC) during the Iran-Iraq war, Mohsen Rafighdoost, detailed a series of proposals he made to Khomeini during the war regarding the option for Iran to produce and use chemical, biological and nuclear weapons against Iraq. Rafighdoost met with Khomeini twice – once in 1984, and once in 1987 – both at critical junctures in the war when Iran’s use of WMD could have potentially turned the tide of the war dramatically in its favour. Khomeini’s answers were unequivocal in both instances. Despite there being a clear existential threat to the Islamic Republic, and potentially considerable ‘material’ benefit in using these types of weapons, he refused. "It doesn't matter whether it is on the battlefield or in cities; we are against this [...] It is haram [forbidden] to produce such weapons. You are only allowed to produce protection [sic]". Porter's interview also highlights that proposals for Iran to produce and use WMD had only emerged after foreign governments had refused to give Iran the necessary capacity to counter chemical attacks. Iran's isolation rather than intrinsic strategic preferences, contingent on the foreign

¹²³ “Imam Opposed Weapons of Mass Destruction (W.M.D)”, *Official Website of Ayatollah Ruhollah Khomeini*, 22 September 2013, https://web.archive.org/web/20150219140011/http://en.imam-khomeini.ir/en/n6140/News/Imam_Opposed_Weapons_of_Mass_Destruction_W_M_D [Accessed 12.06.16]

¹²⁴ Shahram Chubin and Charles Tripp, *Iran and Iraq at War*, London: I.B. Tauris, 1988, p. 50.

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policies of other governments, had therefore initially triggered research into a WMD option.

The outcome was a report, which was given to Khomeini at a session held with his Chief of Staff and son Ahmad.

When Khomeini read the report, he reacted to the chemical-biological-nuclear team by asking, 'What is this?'. He then instructed Rafighdoost and his research team to focus on defensive efforts: "Imam told me that, instead of producing chemical or biological weapons, we should produce defensive protection for our troops, like gas masks and atropine".¹²⁵

After telling Khomeini that his research team had come up with a plan for Iran to develop a nuclear weapon, Khomeini stated outright that Iran would not produce a nuclear weapon. Perhaps most revealing is the moral reasoning that Khomeini offered of his decision: "If we produce chemical weapons, what is the difference between me and Saddam?"¹²⁶ When speaking at the Council on Foreign Relations in 2012, Ali Akbar Salehi likewise referred to both rational and 'moral' imperatives for Iran to not pursue nuclear weapons which reinforced a specific narrative of Iran's place in the world as an Islamic Republic. Regarding the moral issues at hand, Salehi says that Iran is

a moral-driven political [...] entity. So this morally driven political entity can never, ever accept something that would go against its tenets, that would go against its principles, its beliefs. And we oppose war. When we had [...] Saddam Hussein's war against Iran, he used chemical weapons. And now the entire international community recognizes that. We have more than hundred people have been inflicted with this chemical weapon. People are still in the hospitals, in European hospitals, in our own hospitals, hundred thousand people [sic], more than a hundred thousand people. But we did not react -- I mean, we did not react

¹²⁵ Mohsen Rafighdoost, quoted in Gareth Porter, "When the Ayatollah Said No to Nukes", *Foreign Policy*, 16 October 2014, <http://web.archive.org/web/20160428173249/http://foreignpolicy.com/2014/10/16/when-the-ayatollah-said-no-to-nukes/> [Accessed 11.06.16]

¹²⁶ Ibid.

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likewise. We didn't use nuclear weapons¹²⁷ against the Iraqi people because this was against our tenets. Late imam said, you cannot kill innocent people.¹²⁸

In addition to these views, certain scholars, such as Ayatollah Naser Makarem Shirazi – a *marja al-taqlid* – have chosen to orient their verdict on nuclear weapons in relation to the view of the Supreme Leader. It can be said that Makarem Shirazi's *fatwa* highlights a dynamic within Iran's political system (*nezam*) where certain religious viewpoints pertaining to issues concerning the state or areas within the remit of the *wali al-faqih* – such as warfare – merely underpin the *wali al-faqih*'s guidance as opposed to offering a unique perspective on the issue at hand. Makarem Shirazi states that

[a]s Iran's Supreme Leader has declared nuclear weapons to be impermissible (haram), I too as a source of emulation (marja taqlid), view such arms as impermissible.¹²⁹

In the same vein as Makarem Shirazi, Javadi-Amoli's couches his own opinion on weapons of mass destruction (and therefore nuclear weapons) on the issue with reference to there being an '*ijma* – consensus – on the issue:

[S]cholars believe that possession and development of atomic weapons and WMDs are not permitted and have issued religious rulings in this regard". He supplants this with the comment that "[m]ass killing and genocide are forbidden by divine religions.¹³⁰

¹²⁷ Salehi later clarifies that he had meant to say chemical weapons.

¹²⁸ "Waitlist: A Conversation with Ali Akbar Salehi", *Council on Foreign Relations*, 1 October 2012, <http://web.archive.org/web/20160319142607/http://www.cfr.org/iran/waitlist-conversation-ali-akbar-salehi/p35314> [Accessed 07.06.16]

¹²⁹ Alidoost, "The Religious Foundations of the Edicts (*fatawa*) by Shi'ite Jurists Prohibiting Weapons of Mass Destruction".

¹³⁰ Ibid.

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These scholars are joined by the more junior Ayatollah Mohsen Faghihi, who argues that the Supreme Leader's *fatwa* against proliferation represents "a primary edict of Islam and does not need any deep arguments".¹³¹

Ayatollah Mortaza Mutahhari's position on nuclear weapons was rooted in his belief that Muslim states should have to have access to all the modern technologies of the time.

The use of force against the enemy is required as much as possible. There was a time when a few blacksmiths could build the tools needed, using the empirical knowledge of their time. But, today it takes more knowledge. The knowledge to build an atomic bomb is necessary. You may say, the Prophet didn't say, 'O people, go, learn about atoms! [...] But, we should do this, because it is in the spirit of that rule.'¹³²

Mutahhari's position is notable not only due to his close proximity to Khomeini, but that he is remembered first and foremost in Iran as a philosopher rather than a legal scholar (although he was accomplished in both fields¹³³). We will note here a similarity between this view that conceives revolutions in military technology as linear – forcing societies, nations, and even civilisations to adapt to them or be existentially threatened – with the modernist thinking underpinning certain strands of Sunni-jihadi discourse that opts to conflate the massive destructive power of nuclear weapons with military modernity. Quoting the 'steed verse' of

¹³¹ Ayatollah Mohsen Faghihi, remarks from Conference on Nuclear Jurisprudence (2014) in Tehran. Cited and translated in Tavakol Habibzadeh, "Nuclear Fatwa and International Law", *Iranian Review of Foreign Affairs*, Vol. 5, No. 3, Fall 2014, p. 156.

¹³² Mortaza Mutahhari, *Islam va Muqtaziyat-e Zaman: Vol. 2* [English: Islam and the Exigencies of the Present Time], Tehran: Sadra, 1991. Republished by *Islamicdocs* at http://islamicdoc.org/Multimedia/fbook/1293/1293_2.htm [Accessed 09.06.16]. Translation in Ditto, "Go, Learn About Atoms", p. 3.

¹³³ Mahmood T. Davari, *The Political Thought of Ayatullah Murtaza Mutahhari: An Iranian Theoretician of the Islamic State*, London: RoutledgeCurzon, 2005, pp. 6-30.

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the Qur'an, which we will observe in greater detail in Chapter Four that Mutahhari also relies upon, Ayman Zawahiri believes that:

It is a fixed and permanent need of human beings to defend against the enemy, and have a constant readiness to do so. The Qur'an states, "Against them make ready your strength to the utmost of your power..." (8:60) Of course, during that era horse riding and archery were necessities of defense, but gradually newer tools of fighting were invented, and today such tools are atomic capabilities, aircraft, and advanced missiles. Thus according to the unchanging laws of Islamic jurisprudence, which stipulates the necessity of preparation against enemies, such tools must be obtained as much as possible.¹³⁴

Mutahhari held views concerning martyrdom and the necessity of *jihad* which can be used to further illuminate his way of thinking about military affairs. Those who reject both these tenants, argued Mutahhari, would be clothed with "a garment of humiliation"¹³⁵ by Allah. Furthermore,

The people who lose the spirit of fighting and resisting the forces of evil are doomed to humiliation, disgrace, bad luck and helplessness [...] The Muslim community is a community of power and force. Islam is a religion of power.¹³⁶

Here the complex philosophical underpinnings of Mutahhari's views about warfare become much more apparent. For Mutahhari, while self-sacrifice is an inescapable part of war, Islam nevertheless remains a religion of power. This places Mutahhari's narrative in diametric

¹³⁴ Mortaza Mutahhari, quoted in Alireza Ali Nouri, *Kulliyat-e Fiqh-e Eslami* [English: Absolutes of Islamic Jurisprudence], Tehran: Sadra, 1992. Republished by *e-shia*:

<http://web.archive.org/web/20160221200846/http://lib.eshia.ir/26406/1/82> [Accessed 11.06.16]. Translation in Ditto, "Go, Learn About Atoms", p. 17.

¹³⁵ Mortaza Mutahhari, "Shahid", in Mehdi Abedi and Gary Legenhausen (eds.), *Jihad and Shahadat: Struggle and Martyrdom in Islam: Essays and Addresses by Ayatullah Mahmud Taleqani, Ayatullah Murtada Mutahhari and Dr. Ali Shari'ati*, New York: Islamic Publications International, 2005, p. 131.

¹³⁶ Ibid, p. 131.

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opposition to the one held by many Sunnis that Muslims – by virtue of their weak material and military standing in the modern international standing – are compelled (or indeed obligated) to undertaking whatever means necessary through the course of ‘resistance’ in the face of a superior enemy. Mutahhari’s view instead denotes an obligation among Muslims to be proactive in their military affairs – to see development in this area in order to eschew all that humiliates, disgraces, or renders the *ummah* helpless.

The relevance of Mohammad-Taqi Mesbah Yazdi’s religious proclamations is more complex than those of other scholars, namely as he has not issued a *resalah* and has therefore not announced his qualification as a *marja al-taqlid*. Strictly speaking, due to his lower rank, Yazdi’s verdict is binding only on himself and in theory therefore of lesser consequence. Yet Yazdi’s status in Iran and the manner with which he communicates his own view nevertheless bears important political functions inside the *nezam*.¹³⁷ His pronouncements on security issues in particular serve an important purpose in Iran as the endorsed views of the ‘Haghani’ school of Islamic philosophy, and give unique insights into the logic which underpins Iran’s war doctrines today.

Answering a hypothetical question on the permissibility of pre-emptively striking a foreign city of a Muslim country in order to prevent further nuclear attacks on Iran – even if this course of action would lead to the deaths of civilians – Yazdi’s answer is revealing:

¹³⁷ Mesbah Yazdi’s influence in Iran’s political system has been profiled in Susan Siavoshi, “Ayatullah Misbah Yazdi: Politics, Knowledge, and the Good Life, *The Muslim World*, Vol. 100, January 2010, pp. 124-144.

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In the case of conflict between two Muslim nations, Muslims should assist the oppressed against the oppressor. But before the war is waged, initiating attacks for the purpose of prevention depends on a permission from [Vali ye] Faqih.¹³⁸

Yazdi's most notable comments with a bearing on nuclear weapons can be construed as endorsing the Islamic Republic's adoption of them:

The most advanced weapons must be produced inside our country even if our enemies don't like it. There is no reason that [our enemies] have the right to produce a special type of weapon, while other countries are deprived of it.¹³⁹

The position of Ayatollah Fazel Lankarani as provided by his office stands out as one of the most precise and in-depth of all contemporary *fatawa* on weapons of mass destruction. He starts out in quite general terms addressing basic expectations of Islamic forces at times of war.

According to Islam, war with the enemy has its own principles (*usul*), etiquette (*adab*), ethics (*akhlaq*), and rules (*ahkam*). And, during war, Muslims should uphold these principles and rules. For instance, not killing captives, and avoiding and preventing the destruction of the enemy's trees, fields, and water supplies. Also among the rules of war are not using poison in the areas of the enemy, and the religious impermissibility of poisoning the residential areas of the enemy.¹⁴⁰

¹³⁸ Mohammad-Taqi Mesbah Yazdi, "Martyrdom Operations", *Official Website of Mohammad-Taqi Mesbah Yazdi*, n.d, <http://web.archive.org/web/20160320144940/http://www.mesbahyazdi.org/english/?contact-us/afq/contact4.htm> [Accessed 11.06.16]

¹³⁹ "Top Cleric: Iran has Right to 'Special Weapons', *CBS News*, 14 June 2010, <http://web.archive.org/web/20160229154858/http://www.cbsnews.com/news/top-cleric-iran-has-right-to-special-weapons/> [Accessed 08.06.16]. See also Michael Eisenstadt and Mehdi Khalaji, *Nuclear Fatwa: Religion and Politics in Iran's Proliferation Strategy*, Policy Focus 115, Washington, D.C.: Washington Institute, 2011, p. 20.

¹⁴⁰ Ditto, "Go, Learn About Atoms", n.34, P. 30.

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Afterwards, Lankarani offers an all-encompassing statement that Qur'an, *ahadith*, the *Ahlulbayt* (the family of the Prophet), as well as authoritative biographies of the Prophet and Imams, as "the foundation and rules of warfare in Islam" also "prohibit the use of unconventional tools of war, such as nuclear and biological weapons."¹⁴¹ Given the absence of WMD during the time of the Prophet and Imams, Lankarani states – in contrast to Khamenei – his lack of confidence in deploying analogical reasoning given the lack of explicit parallels in military technologies encountered in Islamic law. However, he believes there to be certain parallels with unconventional weapons used in those periods:

It is clear that during the era of the Prophet and Imams, chemical, biological, and nuclear weapons did not exist, and there is no tradition about them, but smaller types of unconventional weapons were used at that time, that in many ways are similar to today. Therefore, no conventional weapons today are a part of this general rule. These included poisoning lands; burning trees, fields, and homes; and drowning the enemy, all of which are similar to non-conventional weapons today. And, the narration that is reported from the Prophet states, 'The Prophet prohibited deploying poison in the lands of the polytheists.'¹⁴²

Lankarani goes further than previous scholars through articulating a case that preoccupation with delivery systems rather than humanitarian impact of weapons is problematic from an Islamic standpoint:

The narration about the use of poison does not specify any type of weapon (i.e. delivery system), but there is no distinction between them because poisoning air, water, or land is the same (i.e. has the same effects). Therefore, although the Prophet only specified poison, it refers to any weapon that kills innocents in overseas war zones, including humans and animals, and also causes damage to fields and the environment. The prohibition of weapons

¹⁴¹ Ibid, n. 34, p. 30.

¹⁴² Ibid, n. 34, p. 30.

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of mass destruction, and chemical weapons, is an absolute priority, because the use of poison (in warfare) is religiously impermissible (haram). The use of an atomic bomb, or chemical weapons, is haram. The mention of poison (in the Prophetic tradition) does not mean that it does not include property damage as well, it extends to all weapons of mass destruction.”¹⁴³

In contrast to the previous scholars analysed, Ayatollah Sadegh Rouhani sits outside the *nezam* by virtue of his belief that the office of Supreme Leader should be divinely appointed rather than elected. This renders his views on nuclear energy and nuclear weapons unique from previous scholars who do not question the *wali al-faqih*'s authority. His view is that nuclear energy – the quest for which being a noble scientific endeavour – should be used within the confines of *fiqh*, and therefore not encompass weaponisation.¹⁴⁴

Ayatollah Sadegh Hussein Shirazi, whose clerical family have opposed the Islamic Republic since soon after the victory of the Revolution¹⁴⁵, is a scholar on the fringes of toleration in Qom. Yet Sadegh Shirazi's verdict evidences against the notion that a *fatwa* can ever be entirely reducible to politics. With another reference to the steel verse, Sadegh Shirazi demonstrates some of the recurring normative ideas that influence *fiqh* concerning warfare even as the law-maker finds himself on the outside of the *nezam*.

[a]tomic weapons, if used for defense, are necessary, and included in the general rule of Islam, from the Qur'an: 'Against them make ready your strength to the utmost of your power'

¹⁴³ Ibid, n. 34, p. 30.

¹⁴⁴ “Views of Grand Ayatollah Sadegh on Nuclear Energy”, *Official Website of Ayatollah Sadegh Rouhani*, 18 February 2015, <https://web.archive.org/web/20150219135144/http://www.rohani.ir/istefta-%20775.htm> [Accessed 11.06.16]

¹⁴⁵ Toby Matthiesen, “Hizbullah al-Hijaz: A History of the Most Radical Saudi Shi'a Opposition Group”, *Middle East Institute*, Vol. 64, No. 2, Spring 2010, p. 182.

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(8:60), whereby Muslims are required to make themselves (equal) in in every respect against the enemies of Islam.¹⁴⁶

Sadegh Shirazi refers to the same verse of the Qur'an noted by Mutahhari as calling for Muslims to hone their military capabilities for defensive and deterrent purposes, and comes to the same conclusion despite being on opposite sides of the political spectrum – and indeed, power – inside Iran. By citing a direct passage from the Qur'an, Sadegh Shirazi avoids recourse to notions of 'public interest' (*maslahah*) or 'dire necessity' (*darura*) – concepts which would legitimise some element of the Islamic Republic as a referent object of security – but in the process his verdict becomes quite broad. Nevertheless, the judgement of Sadegh Shirazi stands given that neither his office nor his family see a benefit in the continued survival of the Islamic Republic, particularly in light of other scholars who – as beneficiaries of the political system, or proximity to the Supreme Leader – have at least in principle allowed for certain acts of warfare to become tolerated in a context where the existence of the Islamic Republic is threatened. The placement of this *fatwa* outside of the proper theological parameters of the Islamic Republic's religio-political dynamic also raises the question of who the intended target audience of this *fatwa* is, given that neither the military nor government would realistically heed to its advice.

How best to characterise the opinions of figures such as Akbar Hashemi Rafsanjani is also an important point. Though a career politician, Rafsanjani has spent considerable time in the seminaries of Qom, retains the rank of Ayatollah, and has chaired both the Council of Experts and Expediency Council. Unlike other cleric-politicians, such as President Khatami, Rafsanjani also benefits from his reputation as one of the founding personalities of the

¹⁴⁶ "Islamic Law", *Office Website of Ayatollah Sadegh Shirazi*, n.d, <https://web.archive.org/web/20130104185516/http://shirazi.ir/compilations/islamiceducation/islamchest/13.htm> [Accessed 11.06.16]

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Islamic Revolution through his close relationship with Khomeini prior to and after the Revolution. Rafsanjani has voiced a number of contradictory opinions concerning nuclear weapons and other weapons of mass destruction, and in doing so revealed a hybridity of reference points, both secular and ethical, which impact his calculations:

We really do not seek to build nuclear weapons and a nuclear military system. In a Friday prayer sermon in Tehran, I even once said that an atomic bomb would not benefit the occupation regime of Israel. Eventually, if one day a nuclear conflict takes place, Israel as a small country, will not be able to bear an atomic bomb. It is a small country and all its facilities would be destroyed. However, they interpreted this advice as a threat. We really believe that there should not be any nuclear weapon in the region and this is a part of the principles of our politics.¹⁴⁷

In spite of the belief here that nuclear weapons would not serve the interests of Iran, which is clearly based upon strategic concerns, Rafsanjani offered another wholly different perspective of other weapons of mass destruction in 1998:

With regard to chemical, bacteriological, and radiological weapons training, it was made very clear during the war that these weapons are very decisive. It was also made very clear that the moral teachings of the world are not very effective when war reaches a serious stage [...] We should fully equip ourselves in the defensive and offensive use of chemical, bacteriological, and radiological weapons.¹⁴⁸

¹⁴⁷ Translated from Fars News Agency article by Nezameddin Musavi (first published on 24 July 2011), USG Open Source Center (4 April 2012). Republished by Juan Cole, "Rafsanjani: Iran does not Want Nukes, Should improve relations with US, Saudi", <https://web.archive.org/web/20150219140120/http://www.juancole.com/2012/04/rafsanjani-iran-does-not-want-nukes-should-improve-relations-with-us-saudia.html> [Accessed 08.06.16]

¹⁴⁸ "Hashemi-Rafsanjani Speaks on Future of IRGC", *Tehran Domestic Service*, 6 October, 1988, FBIS NES, October 7, p. 52; Quoted and cited by Richard MacKay Price, *The Chemical Weapons Taboo*, New York: Cornell University Press, 1997, p. 152.

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Nevertheless, in an interview with CNN Rafsanjani also stated that as Iranians, “[w]e really hate the atomic bomb and its purpose [...] Islam has prevented us from undertaking such adventurism”¹⁴⁹

As with the case of Rafsanjani, President Hassan Rouhani’s own scholarly background in the seminaries of Semnan and Qom prior to enlisting in the military and eventually entering politics warrants that his opinions be dissected not only as the by-product of a politician but also as a cleric. As secretary-general of the Supreme National Security Council (SNSC) in Iran, Rouhani gave a comprehensive statement against nuclear weapons based on multiple concerns that invoked economic, ethical, and religious problems with Iran pursuing a nuclear weapon:

Given the high cost of access to nuclear weapons, their production would block our progress in other scientific and technological fields. In view of environmental, technological, religious and [ethical] reasons as well as the possibility of losing our influence in the region, Iran doesn’t intend to produce nuclear weapons.¹⁵⁰

As a point of comparison, we may also consider the viewpoint of one Iraqi cleric, Mohammad Mohammad Sadiq al-Sadr: father of Moqtada al-Sadr and cousin of Mohammad Baqir al-Sadr (the prominent 20th century jurist who theorised a distinct and competing theory of Islamic governance to Khomeini, called *wilayat al-ummah*).

It has been stated that it is prohibited to use hazardous weaponry, whether against an aggressive army, or others. This includes (flooding) with water, (launching) fire, poison, and other means that might exist. This is because of the hadith that the Messenger of Allah

¹⁴⁹ Rafsanjani, quoted and cited in Mousavian, *Iran and the United States*, p. 122.

¹⁵⁰ Hassan Rouhani, quoted in “Rowhani: Leader Opposed to Attempts to Access Nuclear Weapons, *Shana*, 26 October 2003, <http://www.shana.ir/en/newsagency/7291/ROWHANI-Leader-Opposed-to-Attempts-to-Access-Nuclear-Weapons-> [Accessed 04.03.2016]

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prohibited the deployment of poison in the lands of the polytheists. I say: This prohibition indicates it is haram, except if there is a great public interest (*maslaha adheema*) – but that is rare. While the hadith only specifies poison, its meaning includes all kinds of hazardous weaponry – including nuclear or others – because they kill the innocent along with the guilty, and the unarmed with the armed.¹⁵¹

Of note in Mohammad al-Sadr's *fatwa* is the connection he makes between nuclear weapons and previous "hazardous weaponry", which again points to some degree of analogical reasoning. Similarly, the implications of his explicit reference to a 'greater public interest' (*maslahah al-adheema*), a concept which up until recently had been a hallmark of Sunni legal theory and military jurisprudence, will be dissected in later chapters.

Conclusion

This chapter surveyed a mixture of opinions from religious scholars concerning nuclear weapons and other WMD. A number of recurring themes emerge from these views on nuclear weapons and other WMD. They include:

- That there exist Islamic 'first principles' prohibiting the intentional targeting and killing of civilians.
- That certain scenarios, considered 'exceptional', may allow for civilians to be targeted or killed.
- That these exceptional conditions can be determined with reference to some notion of 'public interest' (*maslahah*).
- That Shi'i scholars connect their views on nuclear weapons with foundational legal perspectives and discussions found in Islamic military jurisprudence concerning

¹⁵¹Mohammad Mohammad Sadiq al-Sadr, *Fiqh al-Mawduat al-Hadithah*, Beirut: Dar al-Adwa lil-Tiba'ah wa al-Nashr wa al-Tawzi', 1998, p.106. Translated in Ditto, "Go, Learn About Atoms": Iranian Religious Discourse on Nuclear Weapons, 1962-Present", p. 27.

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other weapons, tactics and strategies associated with either mass or indiscriminate destruction – such as poisons, incendiary weapons or catapults.

- That, in certain instances, Islamic views concerning nuclear weapons are publically rationalised according to the views of other scholars.
- That there exists a preoccupation in certain accounts with strategic and tactical ‘modernity’ – the notion that Muslim societies are obliged to develop the most modern and advantageous military tools in order to preserve their security.

Whereas previous studies concerning Islamic viewpoints on nuclear weapons¹⁵² have found it sufficient to present these views to academic and policy audiences with an assumption that this information can be fairly or accurately assessed in the context of today’s nuclear debate within existing paradigms, I will proceed in the next two chapters to demonstrate – in line with a critical theory agenda, and through utilising discourse analysis – that existing ways of framing these views are inadequate for projecting potential directions of Iran’s nuclear programme. For this reason, a non-secular framework for analysis is required.

¹⁵² See for instance Rolf Mowatt-Larssen, *Islam and the Bomb: Religious Justification for and Against Nuclear Weapons*, Belfer Center for Science and International Affairs, January 2011; Ditto, “Go, Learn about Atoms”; Eisenstadt and Khalaji, “Nuclear Fatwa: Religion and Politics in Iran’s Proliferation Strategy”.

Chapter Two: Narrating the Nuclear Strategies of the Iranian

‘Other’: Do the Mullahs Love their Children Too?

[N]othing is more important than keeping the 'Islamic bomb' out of the hands of Iran. Let it be introduced into the Middle East and you can kiss the world we know goodbye.¹⁵³

Introduction

Before deconstructing the views of religious scholars in Iran concerning nuclear weapons surveyed in the previous chapter, it is vital to understand how they and their views have been represented in popular and academic discourse, and what this reveals about the epistemic boundaries of how the threat level of Iran's nuclear programme is assessed. This chapter will introduce common representations of Iranian strategic preferences – and particularly those of its *ulama* – in the media, policy discourse and academia. It will also serve as the first section of this thesis' literature review, focusing here on the prevalence of orientalism in academic and policy discourses concerning its nuclear programme. This literature review will continue in Chapter Three on the specific topic of realism.

Focusing on assertions that Iran cannot, by virtue of being an Islamic Republic, be 'deterred' from acquiring or using a nuclear weapon, or be coerced into certain courses of action through communicating certain unacceptable consequences – either in the form of sanctions, or the perpetually 'on-the-table' option to use of military force – the discursive analysis in this chapter provides a glimpse into a much older debate concerning the benefits and pitfalls

¹⁵³ Mary McGrory, "Doomsday and Dalliance", the *Washington Post*, 4 June 1998, <http://www.washingtonpost.com/archive/politics/1998/06/04/doomsday-and-dalliance/49609d1c-b712-4b7b-9f67-c7672cd6313c/> [Accessed 29.04.16]

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of defining states as rational or non-rational actors in the nuclear age. This older debate is the subject of Chapter Three, and delves deeper into how the discursive focus on ‘rationality’ impacts our assessment of Iran’s strategic preferences being influenced by Islam. In this chapter I examine the manner in which experts have sought to understand and represent the ‘Islamicity’ of Iranian strategic preferences and leadership in the context of it being – or not being – a rational-actor. The discourses surveyed in this chapter may be characterised as orientalist in the sense that they construe Western representations of Islam, Iranian culture, and Iran’s *ulama* as definitive of the impact that religion can have on Iran’s strategic preferences towards nuclear weapons.¹⁵⁴ These discourses likewise axiomatically designate certain broad features of strategic thinking – rationality, pragmatism, for example – as secular artefacts rooted in Anglo-European-American traditions. In the context of Iran’s nuclear programme, such ontologies emerge within particular epistemic boundaries that govern the production and reproduction of certain images of Islam and Iran, and marginalise others.

As we will observe in this chapter, Iran is often constructed as being “in the grip of enigmatic, hostile revolutionaries led by intransigent, retroactive Mullahs”.¹⁵⁵ I propose that these types of discourses and narratives about Iran attain especially valuable currency in discussions over its nuclear programme, which are predicated on assessments of ‘rational’ and ‘irrational’ forms of strategic agency that are informed by only a cursory awareness of Islam as it is defined and understood by Muslims themselves. In addition to the realist lens surveyed in Chapter Three, it is through this lens of orientalism that religious pronouncements are frequently read and interpreted in the course of threat-assessing Iran’s nuclear programmes and its strategic preferences.

¹⁵⁴ Bill Ashcroft, “Representation and its Discontents: Orientalism, Islam and the Palestinian Crisis”, *Religion*, Vol. 34, No. 2, 2004, p. 114; Edward W. Said, *Covering Islam: How the Media and the Experts Determine how we See the Rest of the World*, London: Vintage, 1997, p. li.

¹⁵⁵ Adib-Moghaddam, *Metahistory*, p. 125.

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There are two assumptions at the heart of the orientalist narrative of strategic preferences in Iran, which can be described as both ethnocentric (by virtue of normalising Anglo-European-American modes of knowledge production, and othering different forms) and essentialist in the sense that it imposes timeless definitions of ‘Islamic’ knowledge and models of political authority. The first is that Iran’s religious scholars are the primary instigators and drivers of policy-making concerning the country’s nuclear programme – the veracity of which is beyond the scope of this present thesis. The second assumption is that given that religious scholars are involved in shaping the country’s strategic preferences concerning nuclear weapons, Iran is destined to produce and use nuclear weapons. It is this latter assumption that is the subject of this chapter and subsequent chapters in this thesis.

Just as the image of Russians as irrational, Asiatic minded and in many ways strategically primitive was once salient in policy formation (see Chapter Three), the image of ‘mad mullahs’¹⁵⁶ has also featured prominently in the definition of Iran’s strategic preferences from its 1979 Revolution up until the 2015 Joint Comprehensive Plan of Action (JCPOA). These images still permeate the rhetoric against the JCPOA and shape how any negotiations with Iran over international security issues are presented in policy-writing.¹⁵⁷ They also reveal

¹⁵⁶ William O. Beeman, *The “Great Satan” vs. the “Mad Mullahs”: How the United States and Iran Demonize Each Other*, London: Praeger, 2005.

¹⁵⁷ See for instance Thomas Nichols, “Enough is Enough: Time to Ditch the Iran Nuclear Talks”, the *National Interest*, 03 February 2015, <http://web.archive.org/web/20160109125812/http://nationalinterest.org/feature/enough-enough-time-ditch-the-iran-nuclear-talks-12173> [Accessed 11.06.16]; Douglas Murray, “William Hague’s Appeasement of Iran’s Mullahs is a Historic and Terrible Mistake”, *The Spectator*, 25 November 2013, <http://web.archive.org/web/20160429120743/http://blogs.spectator.co.uk/2013/11/the-wests-harebrained-appeasement-of-the-mullahs-is-a-historic-and-terrible-mistake/> [Accessed 09.06.16]; Andrew C. McCarthy, “Obama’s Iran Deal: A Ruse to Inure Americans to the Fact that We Are Empowering our Enemy”, *National Review*, 14 July 2015, <http://web.archive.org/web/20160429120909/http://www.nationalreview.com/corner/421167/obamas-iran-deal-ruse-inure-americans-fact-we-are-empowering-our-enemy-andrew-c> [Accessed 09.06.16]

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much about the prominence of ethnocentrism in defining our own strategic culture, and how we perceive that of the ‘other’:

[e]nemy images and ethnocentric outlooks separate the kaleidoscope of greys in international life into sharper blacks and whites: they help shape, simplify and give meaning to a strategist’s world view, his priorities and his modes of action.¹⁵⁸

What we find is that whether in the specific context of Iran’s nuclear programme, or its strategic preferences writ large, analysis and commentary has hinged on an explicit representation of the country’s religious scholars as a synecdoche for Iran’s supposed inherent irrationalism and strategic otherness. At the level of public discourse, these representations have historically attained far more valuable currency than any empirical observations about the nature of power, civil-military dynamics, or substantive clerical engagement in the decision-making process in the Islamic Republic of Iran, and in some instances colour how these factors are read. When Ray Takeyh refers repeatedly to "the mullahs' nuclear ambitions",¹⁵⁹ we understand precisely the kinds of intentions and motivations he implies, and the ramifications that the *ulama* having these inferred ambitions has for the policy-making process in Iran. But who are these ‘mullahs’, and are their ambitions, whatever they are, as instantly recognisable as Takeyh suggests? Perhaps most importantly – particularly before we analyse religious thinking on nuclear weapons and weapons capable of mass destruction in subsequent chapters – what purpose does an essentialist definition of Iran’s strategic preferences serve?

¹⁵⁸ Booth, *Strategy and Ethnocentrism*, p 24.

¹⁵⁹ Ray Takeyh, “Time for Détente with Iran”, *Foreign Affairs*, Vol.86, No. 2, March-April 2007, pp. 17-32, p. 18; Ray Takeyh, “How to Squeeze Iran on the Nuclear Issue”, the *Washington Post*, 12 November 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/11/11/AR2010111106147.html> [Accessed 12.06.16]

Representations of the ‘Mullahs’

Edward Said identified in the writings of Bernard Lewis and Samuel Huntington that they were not “neutral, descriptive and objective prose”, but instead polemics which perpetuated and contributed to a-priori assumptions about the ‘orient’.¹⁶⁰ We may discern a similar pattern of knowledge production with respect to assessments of Iran’s nuclear policies. The objectification of Iran’s religious scholars which we observe in the nuclear debate today (examined later in the chapter) is therefore not new, and shares some broad characteristics with a number of orientalist representations of Iran and Islam conceived prior to the Islamic Revolution. While media coverage of the Revolution, and particularly of the US Embassy Hostage Crisis (1979-81), solidified their standing as ‘mad mullahs’ in the western political imaginary, they were already by this time characterised for their supposedly anti-modern, superstitious, and reactionary tendencies in literatures which sought to explain – or at least account for – the role of religious scholars and teachings in Iranian society.

Robert Graham’s study published on the eve of Iran’s revolution provides a valuable insight into the representation of Iran’s religious scholars as a collective of irrational anti-modernists. “[R]eligious fanaticism persists in cities like Qom”,¹⁶¹ a place implied to interrupt a rapidly secularising Iranian society, and “a fiery mullah and theologian” named Khomeini presents the only challenge against the Shah’s land reforms and modernising efforts.¹⁶² We are incorrectly informed that the title ‘Ayatollah’ which precedes Khomeini’s name is “a special

¹⁶⁰ Edward W. Said, “The Clash of Definitions”, in Emran Qureshi and Michael Anthony Sells (eds.), *The New Crusades: Constructing the Muslim Enemy*, West Sussex: Columbia University Press, 2003, p. 71.

¹⁶¹ Robert Graham, *Iran: The Illusion of Power*, Oxford: Routledge, 2011, p. 198.

¹⁶² Ibid, p. 198.

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title accorded to the most respected mullahs”.¹⁶³ Graham’s definition serves to collectivise Iran’s *ulama* under the general categories of mass religion, tribal patronage and personality cults, and precludes an assessment of them as individuals with distinctive views. To be sure, Graham later refers to “40 leading mullahs”¹⁶⁴ exiled from Qom to other parts of the country by the SAVAK (Iran’s security and intelligence agency), offering neither insights into who these scholars are nor the particular significance of their exile. It is clear in his account that religious scholars play some role in instigating political change, but their individual character, motives and influence is obscured. In this vein, the best insight we are given into Khomeini’s opposition to land reform is that “it was against Islam”.¹⁶⁵

Graham’s account is a typical representation of the homogenisation and objectification of the *ulama* in the study of Iranian politics and society, where their activism and preferences have been imagined as “a spectacle conjured of a purely religious instinct, the purpose of which is to foil Iran’s majestic march toward modern statehood and modern nationhood”.¹⁶⁶ It also reflects the tendency to represent Islam as an irrational mass phenomenon, rather than as a distinctive source of knowledge production.¹⁶⁷ They are in his account collectivised as ‘mullahs’, incapable of rationalising their preferences outside of a reactionary awareness of whatever is ‘for’ Islam, and resultantly homogenised and characterised as fanatics. There are examples of this type of collectivisation even entering the highest levels of US policy. Majid al-Khoei provides an account for instance where US intelligence services confused his father,

¹⁶³ Ibid, p. 69. Ayatollah, meaning ‘sign of Allah’, is a title bestowed upon scholars that are recognised by their teachers as sufficiently learned in the Islamic sciences to interpret Islamic law independently of other scholarly authorities (i.e., a *mujtahid*).

¹⁶⁴ Graham, *Iran: The Illusion of Power*, p. 147.

¹⁶⁵ Ibid, p. 69

¹⁶⁶ Haggai Ram, *Iranophobia: the Logic of an Israel Obsession*, Palo Alto: Stanford University Press, 2009, p. 26.

¹⁶⁷ Said, *Orientalism*, p. 317.

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Ayatollah Abu al-Qasim al-Khoei, with Khomeini in the early 90s: “both were old men with white beards”.¹⁶⁸ This particular intelligence failure is especially damning given that Ayatollah Khoei is believed to have enjoyed a far larger religious following among Shi’i Muslims than Khomeini.¹⁶⁹ It also highlights the extent to which a basic lack of appreciation at the heart of Western analysis of the diverse clerical community within Shi’ism, and of religious politics and authority in the Muslim world in general, has been to the detriment not just of academic literature, but also high levels of policy-making and intelligence analysis.

There are certainly more nuanced images of clerical political preferences and authority in Iran than Graham’s homogenising view. Richard Cottam, an Iran scholar and former CIA-operative, for example pluralises clerical authority in Iran in his own account, and in the process conveys an appreciation that not every religious authority necessarily shares the same worldview or political goals in Iran. Yet the categories he envisions present a narrowed typology of cleric and clerical political agency. Political action, when taken by clerics, is imagined as being strategically short-term, or as part of a long-term agenda of preventing the rise of secularism and reform. Contrasting clerical reactions to the 1891 tobacco revolt and the 1905-06 Constitutional Revolution, Cottam makes an observation that although Tehran’s religious intellectuals supported reform,

[f]or the majority of mullahs, especially those in the provinces, these ideas were too sophisticated to be understood. A campaign against foreigners – especially those who handled

¹⁶⁸ Patrick Cockburn, *Muqtada al-Sadr and the Shia Insurgency in Iraq*, London: Faber and Faber, 2008, p. 83.

¹⁶⁹ Chibli Mallat, *The Renewal of Islamic Law: Muhammad Baqer as-Sadr, Najaf and the Shi’i International*, Cambridge: Cambridge University Press, 2003, p. 46. Although it is commonly held that Khoei enjoyed the largest number of religious supporters until his death in 1992, Chibli Mallat correctly notes that [t]he system [of *taqlid*] is essentially oral. There is no register of *taqlid*. But were there a central register, it would be meaningless. The lay Shi’is have several ways of ‘practising’ their *taqlid*. Since there is no coercion at any level in the system, the gamut of *taqlid* will run from absolute passivity to hearty financial and religious commitment”. (Ibid, p. 46).

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their tobacco – was comprehensible, and with it the illiterate mullah could sympathize. There were, however, a significant number of intellectual mullahs who understood the liberal ideas of the constitutional leaders and who stood in basic opposition to them. For these reactionary mullahs, the status quo was not an unhappy one, and they feared the secular implications of the innovations of the reformists.¹⁷⁰

Cottam's narrative of this early engagement of clerics with politics in Iran confines clerics to three definitions. Clerics in Iran were imagined as being uneducated and/or illiterate 'mullahs', incapable of understanding the stakes of the Constitutional Revolution or their own place in unfolding events. Others could be educated sufficiently enough to want to expel foreign influence from Iranian affairs. Finally, some were imaged as being educated sufficiently to oppose liberal advances concocted among intellectuals from Tehran. The typology is problematic not only empirically, but also because it engenders a simplistic vision of clerical political engagement which both negates ideological and religious hybridity, as well as insights into the ideas the *ulama* have on their own terms. As Cottam implies a correlation between education and clerical opposition to what is constructed as progressive transformations being led out of Tehran, we are presented the options of viewing Iran's *ulama* as silent on matters of politics (due, from what we may discern, as much to illiteracy and ignorance as to strategic quietism), viewing them as viscerally xenophobic, or as being ideologically opposed to reform.

Analysts today likewise gravitate towards adopting simplistic, artificial typologies such as that produced by Cottam. Considering the impact of what they refer to as "atomic Ayatollahs" on Khomeini's early political, ethical and philosophical opposition to any nuclear programme (whether civilian or military), Meir Javedanfar and Yossi Melman argue that Khomeini was compelled to depart from his earlier Islamic view and adopt a more realist

¹⁷⁰ Richard Cottam, *Nationalism in Iran*, Pittsburgh: University of Pittsburgh Press, 1979, p. 141.

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outlook after the use of chemical weapons on Iranians during the Iran-Iraq war due to pressure from more ‘sophisticated’ clerics.¹⁷¹ “The first four or five years of the Iran-Iraq War shocked the clerics into realizing the value of modern military technology”.¹⁷² It is simply assumed that Khomeini, not ‘understanding’ the strategic benefits of nuclear weapons at the outset of the Revolution, later came to terms with them and made an ideological and religious compromise. Consequently, the suppression of clerical or Islamic authenticity in this instance led to a more pragmatic and realist approach being adopted in the Islamic Republic.

‘Mad Mullahs’ and the Problem of Deterrence

Such images of Iran’s religious scholars are appropriated within projections of Iranian nuclear intentions that are defined according to Anglo-European narratives of what strategic thinking looks like for ‘us’ (namely, in the West) and ‘them’. It is assumed that Iran, through possessing what is considered a fundamentally distinct system of Islamic government ‘controlled’ by clerics¹⁷³ – whom we are told are incapable of making long-term strategic choices that would engender measured reciprocity, or serve global security interests – makes it harder for the West to read its defence posturing accurately, negotiate with it, or even

¹⁷¹ Melman and Javedanfar, *The Nuclear Sphinx of Tehran*, pp. 96-99.

¹⁷² Mustafa Kibaroglu, “Good for the Shah, Banned for the Mullahs: The West and Iran’s Quest for Nuclear Power”, *Middle East Journal*, Vol. 60, No. 2, Spring 2006, p. 216.

¹⁷³ For examples of Iran’s political system caricatured as a wholly clerical regime, see Amitai Etzioni, *Security First: For a Muscular, Moral Foreign Policy*, London: Yale University Press, 2008, pp. 11-12; Bernard Lewis, *Faith and Power: Religion and Politics in the Middle East*, Oxford: Oxford University Press, 2010, p. 205. In the rhetoric of politicians, see also the statement by Israeli Prime Minister Benjamin Netanyahu that “[t]he real leader of Iran, who heads this cult that controls Iran, that controls with an iron fist the Iranian people, is the Ayatollah Khamenei. He’s the so-called supreme leader, in this case, aptly named. And he wants nuclear weapons.” (“Netanyahu calls Rouhani “a clerk” of Iran’s ayatollah”, *CBS News*, 6 October 2013, <http://web.archive.org/web/20150730114848/http://www.cbsnews.com/news/netanyahu-calls-rouhani-a-clerk-of-irans-ayatollah/> [Accessed 08.06.16])

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engage at all on matters of mutual interest. This tendency is not without its critics. William O. Beeman dissects images of clerical irrationality similar to those reproduced by Graham and Cottam in his analysis of the discourse of “mad mullahs”.¹⁷⁴ Beeman’s critical genealogy of the discourse reveals a dichotomy between an “idealized governmental structure of the United States”¹⁷⁵ – ‘rational’ and ultimately Liberal, with a clear division of powers across a secular executive, legislative and judiciary – and states like Iran deemed to miss these characteristics. This dichotomy is a constant feature of representations of Iran today in discussions over its nuclear programme. Critically, the image “provides an overly facile [sic], dismissive argument to anyone in government who suggests that meaningful negotiations with Iran on matters of mutual interest might be pursued”.¹⁷⁶ Beyond individual profiles of religious scholars in Iran, what is also absent is an historical context for how Islamic laws of war and peace are made by the *ulama*, and an assessment of how these laws change, and the implications that this could have for strategic decisions regarding the proliferation or non-proliferation of nuclear weapons and other weapons of mass destruction today.

In light of this absence, the ‘dismissive’ argument – reasons for why Iran cannot be assumed to be responsive to negotiations or strategic accommodation – presents itself frequently.

Norman Podhoretz, editor of *Commentary* magazine between 1960 and 1995, believes that

¹⁷⁴ Beeman, *The “Great Satan” Vs. The “Mad Mullahs”*.

¹⁷⁵ Ibid, p. 9.

¹⁷⁶ Ibid, p. 86.

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deterrence could not be relied upon with a regime ruled by Islamofascist revolutionaries who not only were ready to die for their beliefs but cared less about protecting their people than about the spread of their ideology and their power.¹⁷⁷

In the same essay, he states that there is a clear danger that “the mullahs” of Iran are “[d]edicated to furthering the transformation of Europe into a continent where Muslim law and practice would more and more prevail [...] bound to use nuclear intimidation and blackmail in pursuit of this goal as well”¹⁷⁸. Ilan Berman, Vice President of the American Foreign Policy Council, shares Norman Podhoretz’s concerns regarding the ‘mullahs’ ambitions. He asserts that “in the hands of Iran’s ayatollahs, an atomic capability could become a dangerous export commodity”¹⁷⁹. Most revealing perhaps are the words of Richard Rubenstein, which state that “[i]t should be obvious that the Ayatollahs dwell in an entirely different moral universe than any we in the West have had to deal with”.¹⁸⁰ Again, homogenisation of the *ulama* as irrational, unreasonable, unpredictable, and even morally suspect is intrinsic to the case for why Iran’s pursuit of nuclear weapons is inevitable, and cannot under any circumstances be tolerated.

Instances such as these reveal the use of rhetoric in dismissing the notion of Iran as a ‘like unit’ without more thorough recourse to either qualitative or quantitative analysis of the influence of religion over Iran’s policy-making process. The fact that ‘mad mullahs’ negate the crucial actor requirement of rationality in each of these areas means that the prospect of Iranian nuclear proliferation is assumed to be one of the primary international security threats

¹⁷⁷ Norman Podhoretz, “Stopping Iran: Why the Case for Military Action Still Stands”, *Commentary*, 1 February 2008, <http://web.archive.org/web/20160323143921/https://www.commentarymagazine.com/articles/stopping-iran-why-the-case-for-military-action-still-stands/> [Accessed 11.06.16]

¹⁷⁸ Ibid.

¹⁷⁹ Ilan Berman, *Tehran Rising: Iran’s Challenge to the United States*, Plymouth: Rowman & Littlefield Publishers, 2007, p. 47.

¹⁸⁰ Richard L. Rubenstein, *Jihad and Genocide*, Baltimore: Rowman & Littlefield, 2011, p. 145.

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of today. Can, as Edward Shirley asks, “the theory of deterrence work in the Islamic world”?¹⁸¹ More to the point,

Are the Iranians, who are the only Muslim radicals seriously thinking about manufacturing or stealing an atomic bomb, nuclearly *non compos mentis*?¹⁸²

Yet the paradox here is that while such accounts draw heavily from ontological orientalism (specifically, images of clerical irrationality), they nevertheless also support the realist ‘proliferation paradigm’¹⁸³ – the idea of nuclear proliferation as being inevitable – or what we might label the ‘deterrence parameter’. The deterrence parameter refers to the epistemic boundaries for assessing and projecting agency in the realm of nuclear policy. The deterrence parameter refers to the epistemic boundaries – dating back at least to the early days of the atomic age, and certainly to the formulation of a body of now hegemonic strategic literature in the field of nuclear deterrence (see Chapter Three) – for assessing and projecting agency in the realm of nuclear policy. These boundaries channel ontology in the form of discourse and debate over the intentions of states within the nuclear age within the narrow confines of one foundational question: are states rational or irrational actors? More specifically, can a given state be deterred from pursuing a certain course of action – and by virtue, do we consider them as belonging to a category of states we class as ‘modern’ – or do we consider this state as being undeterrable? In the critique developed over the course of this chapter and the next, I posit that the deterrence parameter is – like all regimes of truth – dependent more-so on how we imagine both ourselves and the other as opposed to strictly empirical observations.

In the context of the deterrence parameter, accounts like those presented by Podhoretz assume that Iranian proliferation is inevitable, but assign this inevitability to Iran’s inherent

¹⁸¹ Edward G. Shirley, “The Iran Policy Trap”, *Foreign Policy*, No. 96, Autumn 1994, p. 90.

¹⁸² Ibid, p. 91.

¹⁸³ Pelopidas, “The Oracles of Proliferation”, pp. 297-314.

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irrationalism as opposed to rationalism as a state actor. Here, what are believed to be elements of radical or extreme religiosity among its leadership, rather than incentives for proliferation provided by an anarchic international system, are considered definitive propellants of proliferation goals and strategic preferences more generally in Iran.

How then do these orientalist discourses coalesce under traditional theories of deterrence, and serve as a definitive and disciplining spectrum of representing Iran's strategic preferences towards nuclear weapons between normative orientalism and realism? One way is by reinforcing the dominant rationalist conceptions of state behaviour and nuclear strategy which preclude cultural or religious nuance within states which might impact strategic preferences. Rational strategic thinking is here believed to emerge only from Anglo-European-American theories and political structures, and any divergence from these sources as the basis for strategic thinking can only ever produce irrational outcomes. This obstructs the emergence of alternative frameworks for studying Iran's strategic preferences on their own terms beyond Ethnocentrism.

Indeed, many projections of Iranian strategic preferences concerning nuclear weapons begin with an assessment of whether or not the Islamic Republic conforms or does not conform to certain orientalist images (examined in the coming pages), and the ramifications this would have for international security. This limits the scope of studying Iranian strategic preferences to the confines of the deterrence parameter – the binary concern of whether Iran is a rationalist state or not – and Eurocentric thinking about religion in international affairs. These rationalist theories of how states pursue their interests in the nuclear age construct a number of images of the 'international system', such as one where it is dominated by self-interested

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states existing (and competing) under anarchy (i.e. realism/neorealism);¹⁸⁴ that cooperation and adherence to non-proliferation and disarmament regimes is possible only with certain states and not others (i.e. liberalism/neoliberalism);¹⁸⁵ and that state behaviour can be reciprocated (and predictable) when based on conscious signalling and posturing, contributing to the emergence of ‘strategic cultures’ (i.e. constructivism).¹⁸⁶ In these rationalist theories which reinforce the deterrence parameter, the impact that religion can have on strategic preferences is commonly either orientalist (as we will examine in this chapter) downplayed completely (as will be examined in the next chapter).

The next four sections will introduce a few recurring images of religious influence over Iran’s nuclear policies and strategic preferences that are worthy of note: and the perceived impact of religious scholars on decision-making in Iran, the Shi’i ‘penchant’ for martyrdom, representations of the Twelfth Imam and ‘Mahdism’, and the veracity of the Supreme Leader’s *fatwa* prohibiting nuclear weapons. These elements are not exhaustive of the

¹⁸⁴ For a glimpse into realist perspectives of the international system and how it impacts nuclear strategy, see Waltz, “More May be Better”, in Sagan & Waltz (eds.), *The Spread of Nuclear Weapons*, pp. 1-45; John J. Mearsheimer, “The Case for a Ukrainian Nuclear Deterrent”, *Foreign Affairs*, Vol. 72, No. 3, Summer 1993, pp. 50-66; John J. Mearsheimer, “Back to the Future: Instability in Europe After the Cold War”, *International Security*, Vol. 15, No. 1, Summer 1990, pp. 5-56; Keith Payne, “US Nuclear Weapons and Deterrence: Realist versus Utopian Thinking”, *Air & Space Power Journal*, Vol. 29, No. 4, July-August 2015, pp. 63- 71. See also Chapter Three.

¹⁸⁵ Alexandra Homolar has examined this particular narrative in the context of US security policy under the presidency of George W. Bush. See Alexandra Homolar, “Rebels without a Conscience: The Evolution of the Rogue State Narrative in US Security Policy”, *European Journal of International Relations*, Vol. 17, No. 4, December 2014, pp. 705-727. For a recent summary of this worldview in the context of nuclear proliferation trends, see Jeffrey W. Knopf, “International Cooperation on Nonproliferation: The Growth and Diversity of Cooperative Efforts”, in Jeffrey W. Knopf (ed.), *International Cooperation on WMD Nonproliferation*, Athens (GA): University of Georgia Press, 2016, pp. 1-22.

¹⁸⁶ See Jeffrey S. Lantis, “Strategic Culture: From Clausewitz to Constructivism”, *Strategic Insights*, Vol. 6, No. 10, October 2005, <http://web.archive.org/web/20160117153300/http://calhoun.nps.edu/bitstream/handle/10945/11257/lantisOct05.pdf?sequence=3&isAllowed=y> [Accessed 09.06.16]

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orientalist representations of Iran in discussions over its strategic preferences, but offer a glimpse into a range of concerns that are prioritised through the course of analysing Iran's nuclear policies; the implications of which taken to be self-evident.

Orientalism and Institutional Analysis

We have established that the participation of Muslim clerics in the Iranian decision-making process is often stated – explicitly or implicitly – to be the primary factor that leads Iran to miss the common psychological prerequisites for the development of a coherent and responsible nuclear weapons posture in the country, or for nuclear deterrence to work. Other accounts also cite Iran as missing the Western-modelled military bureaucracies and secular, rational centres of strategic decision-making needed for the state to produce predictable and rational patterns of policy-making which would engender stability.¹⁸⁷ Such arguments present a picture of aggressive political factionalism rooted in ideological clashes – often between what are conceived as ‘hardliners’ and ‘moderates’ – as a hallmark of policy-making in the Islamic Republic.¹⁸⁸ One author has even attempted to naturalise factionalism in Iran with reference to the country's geography:

¹⁸⁷ See for instance Mehdi Khalaji, “Apocalyptic Visions and Iran's Security Policy”, in Patrick Clawson and Michael Eisenstadt (eds.), *Deterring the Ayatollahs: Complications in Applying Cold War Strategy to Iran*, Policy Focus #72, Washington Institute for Near East Policy, July 2007, pp. 30-33; Scott Sagan, in Scott Sagan, Kenneth Waltz & Richard K. Betts, “A Nuclear Iran: Promoting Stability or Courting Disaster?”, *Journal of International Affairs*, Vol. 60, Spring-Summer 2007, pp. 135-150, p. 141; Sagan, “More will be Worse”, in Sagan & Waltz, *The Spread of Nuclear Weapons*, p. 62.

¹⁸⁸ See Robert J. Reardon, *Containing Iran: Strategies for Addressing the Iranian Nuclear Challenge*, RAND, 2012, pp. 75-80; Michael Eisenstadt, “Deter and Contain: Dealing with a Nuclear Iran”, in Henry Sokolski and Patrick Clawson (eds.), *Getting Ready for a Nuclear-Ready Iran*, Strategic Studies Institute, 2005, p. 229; Michael Eisenstadt, “Living with a Nuclear Iran?”, *Survival*, Vol. 41, No. 3, Autumn 1999, p. 133; Bobi Pirseyedi, *Arms Control and Iranian Foreign Policy: Diplomacy of Discontent*, Oxford: Routledge, 2012, pp. 14-15.

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Anthropologists have long suggested that mountainous terrain, such as that which dominates Iran's populated areas, tends to breed cultural heterogeneity and individualism, which in turn often produces the kind of factionalism predominant in Iran.¹⁸⁹

Given this endemic factionalism and perpetual instability, the fate of Iran's nuclear programme is believed to be out of the hands of what are considered the country's 'moderates', and instead in those of loosely grouped ultra-conservative, millenarian religious ideologues. Within this context, the role of the Iranian Revolutionary Guard Corps (IRGC) (Sepah-e Pasdaran) in tilting the country's balance of power towards the 'hard-line' forces – many of whom centring their political agency on a belief in the imminent return of the 'Hidden Imam'¹⁹⁰ becomes a central concern in discourse concerning the prospect of a nuclear Iran.

Such elements are produced as evidence that Iran's nuclear programme should be securitised. Moreover, they sway between conceiving Iran as a unitary actor, or as a state where power is decentralised. For instance, in his commentary on whether Iran can be deterred or not, Michael Rubin states that "[a]t its core, the Islamic Republic is an ideological regime with a mission to export its revolution embedded both in its constitution and in the IRGC structure".¹⁹¹ Amitai Etzioni also outlines his preference for treating Iran as a unitary, non-rational actor. In this account, although the Islamic Republic's tends to pursue foreign policy objectives that are "tangentially" rooted in what are deemed its objective national interests

¹⁸⁹ Kenneth Pollack, *Unthinkable: Iran, the Bomb, and American Strategy*, New York: Simon and Schuster, 2014, p. 5.

¹⁹⁰ Dore Gold, *The Rise of Nuclear Iran: How Tehran Defies the West*, Washington D.C.: Regnery Publishing, 2009, pp. 213-214; Michael Eisenstadt, "Deterring a Nuclear Iran: Problems with Iranian Risk Taking and Behavior", in Clawson and Eisenstadt (eds.), *Deterring the Ayatollahs*, p. 5.

¹⁹¹ Michael Rubin, "Can a Nuclear Iran be Contained or Deterred?", *Middle Eastern Outlook*, American Enterprise Institute for Public Policy Research, No. 8, November 2008, p. 4.

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(for example, in its opposition to Israel).¹⁹² He argues that the distinction is an important one given that Iran bases much of its policies related to defence and security on religious motivations, and what he believes to be the coherent self-identification as an ‘Islamic state’.¹⁹³ In the process, Etzioni – as other commentators on the interplay between Iranian strategic preferences and external structural factors – becomes what the Copenhagen school would regard as the ‘securitising actor’ through defining which of Iran’s strategic preferences can be deemed as objectively reflecting conditions of (in)security, and which do not (and are, in this instance, based on otherworldly concerns). This alarmist image of Iran as a ‘non-rational’ unitary actor is echoed in the assessment of one commentator in the *Cambridge Review of International Affairs*, who states that

the Ayatollah's regime is not typical of the Middle East or any other part of the world. It is religious, fanatical and addicted to martyrdom. If it survives in its present form and/or expands its influence to other states in the region, then there is considerable reason for concern. In short, Islamic fundamentalism would be the most serious cause for concern about a nuclear Middle East¹⁹⁴

Again, for this author the threat of the ‘Ayatollah’s regime’ derives not from its pursuit of strategic preferences rooted in objective conditions of insecurity found in the international system, but its pursuit of strategic preferences that are born out of normative ideology and religion.

¹⁹² Etzioni, “Are the Leaders of Iran “Rational Actors” or, Can Iran be Deterred?”, p. 2.

¹⁹³ Ibid, p. 2.

¹⁹⁴ Thanos Dokos, “The Probability of the Deliberate Use of Nuclear Weapons in the Middle East”, *Cambridge Review of International Affairs*, Vol. 3, No. 1, 1989, p. 47.

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On the other hand, Stephen Cimbala presents a different scenario where factionalism in the Islamic Republic threatens not only international security, but central political authority and military command in Iran itself:

Iran caught up in revolutionary upheaval between contending factions of modernizers and mullahs, and already in possession of nuclear weapons, could witness a power struggle that leads to unauthorized delegation of nuclear command authority and/or illicit transfer of nuclear weapons to third parties.¹⁹⁵

In a similar vein of this specific perspective of the Iranian ‘threat’, a recurrent trope has been the chance of Iranian nuclear weapons falling into the hands of extremist groups. This particular concern can be found as early as the 1980s, with Morton Kondracke constructing a hypothetical situation where a dictator possessing nuclear weapons

is overthrown by a religious fanatic resembling the Ayatollah Ruhollah Khomeini, who then uses some of the Shah's bombs to intimidate or destroy the neighboring countries. And other bombs he passes on to terrorists that will use them to wage holy wars.¹⁹⁶

Kondracke ends on a note that crucially highlights the importance of imagination to threat assessing Iran’s nuclear programme: “[b]e glad that it didn't happen in real life. But something like it could”.¹⁹⁷ Elsewhere, writing on highly enriched uranium (HEU) and plutonium stockpiles – the former now having been either diluted or converted to uranium oxide from 2013-15, the latter having never been possessed by Iran – two authors state that

¹⁹⁵ Stephen J. Cimbala, *Nuclear Weapons and Strategy: US Nuclear Policy for the Twenty-First Century*, Oxford: Routledge, 2005, p. 74.

¹⁹⁶ Morton Kondracke, “Watch Out for Those "Little" Nuclear Wars”, *Los Angeles Times*, July 22, 1983; cited and discussed in Hugh Gusterson, *People of the Bomb: Portraits of America’s Nuclear Complex*, Minneapolis: University of Minnesota Press, 2004, p. 38.

¹⁹⁷ *Ibid*, p. 38.

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“hard-line factions might consider sharing a portion of them with terrorist organizations, without explicit approval of the country’s political or spiritual leaders.”¹⁹⁸

When more specifically situated within the logics of nuclear deterrence and non-proliferation, Iranian factionalism or fragmented structures of power and authority present experts with a notable proliferation challenge not only due to the Islamic Republic’s seeming incoherence as a state, but also because these hard-line fragmented actors within the state impact the kinds of strategic preferences that are constructed within Iran, and how it should pursue them.

The Shi’i Penchant for Martyrdom

One other area of discussion which reveals its narrow focus in defining the study of Iran’s strategic preferences can be found in the focus on Iran’s ‘sensitivity to costs’, or more appropriately, the extent to which Iran can be deterred from pursuing a strategy deemed threatening to the interests of the United States and what is constructed as the ‘international community’. Here, assumptions which we make about the impact of religion on strategic preferences colours a wider statement on whether or not Iran can be deterred from behaving in a certain way due to the otherworldly influences of its leadership. For Charles Krauthammer –a Pulitzer Prize winner for his time at the *Washington Post*, qualified psychiatrist, and frequent political commentator – the answer is simple: “[a]gainst millenarian fanaticism glorying in a cult of death, deterrence is a mere wish. Is the West prepared to wager its cities with their millions of inhabitants on that feeble gamble?”¹⁹⁹

¹⁹⁸ Charles D. Ferguson & William C. Potter, *The Four Faces of Nuclear Terrorism*, Oxford: Routledge, 2012, p. 128.

¹⁹⁹ Charles Krauthammer, “The Tehran Calculus”, the *Washington Post*, 15 September 2006, http://www.washingtonpost.com/wp-dyn/content/article/2006/09/14/AR2006091401413_pf.html [Accessed 13.04.16]

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In this respect, representations of Iran's tactics during the Iran-Iraq war can reveal a great deal. Flynt and Hilary Mann Leverett for instance discuss the preoccupation with what is constructed in many literatures as Iran's 'martyrdom culture',²⁰⁰ or what Robert Fisk believes is a Shi'i "cult for martyrdom".²⁰¹ Recounting Iran's experiences in its war with Iraq, a leading French authority on *jihad* and 'Islamism' Gilles Kepel cites "the Shiite death wish" and "Shiite martyrology",²⁰² in arguing that the war forced a 'return' to the message of self-sacrifice contained in Karbala:

[t]he appalling butchery of the eight-year war against Iraq gave the younger generation of poor Iranians an incentive to return to the former tradition of martyrdom, pushing the ritual of self-flagellation to the point of self-immolation²⁰³

Kepel continues: "[n]o longer at issue was the transformation of the world [...] young men had developed a new desire – a longing for death".²⁰⁴ Supporting this view, the image of Iranian children running through minefields, with plastic 'keys to paradise' draped around their necks by Muslim clergymen, is a potent one in the literature seeking root Iranian actions at times with war with a primordial Shi'i attitude to death and 'martyrdom':²⁰⁵

²⁰⁰ Leverett & Mann Leverett, *Going to Tehran*, pp. 16, 41.

²⁰¹ Robert Fisk, *Pity the Nation: Lebanon at War*, Oxford: Oxford University Press, 2001, p. 469.

²⁰² Gilles Kepel, *Jihad: The Trail of Political Islam*, London: I.B. Tauris, 2011, pp. 116-117.

²⁰³ Ibid, p. 116.

²⁰⁴ Ibid, p. 116.

²⁰⁵ See Williamson Murray and Kevin M. Woods, *The Iran-Iraq War: A Military and Strategic History*, Cambridge: Cambridge University Press, 2014, p. 2; Hooman Majd, *The Ayatollah Begg to Differ: The Paradox of Modern Iran*, New York: Doubleday, 2008, p. 146; Williamson Murray and Robert H. Scales, *The Iraq War*, Cambridge (MA): Harvard University Press, 2005, p. 80.

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[k]ey chains wrapped around their necks – the keys to heaven – some Basijis cleared minefields in acts of religious devotion, crying out to Imam Hossein, the Shi'a martyr, as explosions tore their bodies.²⁰⁶

Tropes like this highlight a propensity for identifying unique elements of 'Islamic', 'Shi'i' or 'Iranian' culture as being definitive of Iran's behaviour as a state. These images of Shi'ism thus define Iran's war strategies in Buzan & Herring's characterisation of Iran as "insensitive" to the human cost of war due to its tactical use of human wave attacks during its war with Iraq.²⁰⁷ They are also present in Ray Takeyh's assessment:

Military planning and issues of strategy and tactics were cast aside for the sake of martyrdom and sacrifice. The war and the revolution had somehow fused in the clerics' imaginations. To wage war was a way of demonstrating one's commitment to the divine mission launched by Khomeini in 1979.²⁰⁸

Explicit linkage between Shi'i religiosity and an irrational, otherworldly desire for martyrdom has even entered into one CIA report as a direct security threat to the United States: "[i]n the minds of the most impassioned Shia believers, killing Americans is a way of demonstrating the strength of their faith".²⁰⁹ Such images reinforce a tendency towards what Patrick Porter has analysed as 'military orientalism'.²¹⁰ They project a model of Iranian

²⁰⁶ Afshin Molavi, *The Soul of Iran: A Nation's Struggle for Freedom*, New York: W. W. Norton & Company, 2010, p. 88.

²⁰⁷ Barry Buzan and Eric Herring, *The Arms Dynamic in World Politics*, London: Lynne Rienner Publishers, 1998, p. 133.

²⁰⁸ Ray Takeyh, *Guardians of the Revolution: Iran and the World in the Age of Ayatollahs*, Oxford: Oxford University Press, 2009, p. 81.

²⁰⁹ Central Intelligence Agency, "Martyrdom in Shiite Theology Outlined", Report, 13 December 1984 [Declassified 1 March 1987], p. 3.

²¹⁰ Patrick Porter, *Military Orientalism: Eastern War through Western Eyes*, New York: Columbia University Press, 2009; Seyed Mohammad Marandi & Hossein Pirnajmuddin, "Constructing an Axis of Evil: Iranian

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strategic preferences based upon essentialist accounts of how culture and religion impact Iranian military strategies and tactics; namely through implying a linear relationship between ahistorical characteristics of the Shi'i-Iranian 'other' (defined, more often than not, by Westerners) and Iranian strategic agency.

When consumed within the deterrence parameter, Iran's apparent penchant for martyrdom becomes an especially important concern in the assessment of how it would behave with nuclear weapons:

[a]ccording to Cold War logic, the fact that America could react to a hundred thousand of its own dead by inflicting ten million on the enemy served as a sufficient deterrent to the other side not to attack. But against a culture that glorifies death in "Holy War," the principle of deterrence dissolves.²¹¹

Within these essentialist and orientalist approaches to understanding the impact of religion on Iranian strategies and tactics for war after the Revolution, the line here between tactical and strategic use of what are considered "suicide" tactics employed by Iran during previous conflicts become severely blurred. Orientalism penetrates strategic analysis through presupposing a Shi'i and Islamic "essence" which can determine Iran's strategic preferences, overshadow tactical variation,²¹² and often to the detriment of international security. Stephen

Memoirs in the "Land of the Free", *American Journal of Islamic Sciences*, Vol. 26 No. 2, Spring 2009, pp. 37-39.

²¹¹ Stephen Tanner, "Foreword", in Al J. Venter, *Iran's Nuclear Option: Tehran's Quest for the Atom Bomb*, Pittsburgh: Casemate Publishers, 2003, p. xvii.

²¹² See for instance Amitai Etzioni claim that "a fanatically religious Iranian leader [...] may well calculate whether to use missiles or bombers, and what season to attack, but not, whether to heed God's command to kill the infidels", in Amitai Etzioni, "Are the Leaders of Iran "Rational Actors" or, Can Iran be Deterred?", *Global Studies Journal: Global History, Society, Civilization*, 30 June 2011, <http://web.archive.org/web/20160109143703/https://gsj.stonybrook.edu/wp-content/uploads/2011/06/i38V.pdf> [Accessed 08.06.16], p. 2.

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Ward's assessment of the Iranian 'threat' is clearly influenced by this kind of essentialist imagination of the origins of Iran's military tactics:

Since Iran became a theocracy, the regime has repeatedly stumbled over contradictions between its faith and the requirements of modern warfare, especially as seen in the Revolutionary Guard's bloody battles during the Iran- Iraq War. [...] They appear to be trying to reinvigorate Iran's revolutionary spirit and restore its reliance on religious zeal and martyrdom as a basis for success in military operations. The combination of Iran's contemporary Islamic fervor with its imperial tradition is a major factor that, if left unbalanced by more cautious forces in Iran, inflates the Iranians' willingness to take risks and increases the threat of conflict with the United States and the West.²¹³

While a more dynamic approach could be found for instance in attempts at differentiating between the strategic and tactical usages of terrorism,²¹⁴ existing approaches at explaining the tactical decisions Iranians make as far as they are rooted in grander strategic objectives do not present its preferences as undergoing constant flux. Instead, Iranian strategy is presented ahistorically as a cultural-religious signifier of the Iranian-Muslim 'other'. To be clear, the Iran-Iraq war certainly did feature the use of certain tactics – for instance, so-called 'human wave attacks' – in large part due to the willingness of many young Iranians to sacrifice their lives in serving their country and what they believed was their religion. However, the use of such tactics was rooted as much in material factors as they were religious doctrine.²¹⁵ In this regard the roots of Iran's strategic preferences, and the tactical decisions that are taken at

²¹³ Steven R. Ward, *Immortal: A Military History of Iran and its Armed Forces*, Washington D.C.: Georgetown University Press, 2009, p. 313.

²¹⁴ See Richard K. Betts, "The Soft Underbelly of American Primacy: Tactical Advantages of Terror", *Political Science Quarterly*, Vol. 117, No. 1, Spring 2002, pp. 19-36; Lawrence Freedman, "Terrorism as a Strategy", *Government and Opposition: an International Journal of Comparative Politics*, Vol. 42, No. 3, Summer 2007, pp. 314-339.

²¹⁵ Leverett & Mann Leverett, *Going to Tehran*, p. 41.

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times of war, both need to be understood in far less essentialist terms than they are presented in many representations today. They do not reflect some primordial Shi'i-Islamic essence – in this case, a “penchant for martyrdom”²¹⁶ – or represent any “clear script for action”,²¹⁷ but instead represent “the ambiguous repertoire of competing ideas” that can (but not always) be “selected, instrumentalised, and manipulated”.²¹⁸ The challenge is therefore to understand the epistemic framework which governs the selection, instrumentalisation and manipulation of this repertoire, and how this framework provides its own boundaries for how ideas related to warfare are produced and selected – rather than to attempt to dissect these views within pre-existing Eurocentric frameworks for analysis.

The Twelfth Imam and the End of the World

In a similar vein to how the assumed Shi'i ‘penchant for martyrdom’ facilitates an assessment that Iran both seeks and would use nuclear weapons, the implications of constructing belief in the Mahdi as distinctly ‘otherworldly’ and apocryphal²¹⁹ in the nuclear debate also become apparent.²²⁰ The prominence of the idea of the Hidden Imam or Mahdi in literatures and commentary on Iran serves to reinforce a case that its nuclear policies are guided by an irrational Islamic belief system, putting it at odds with that of ‘rational’ secular states. These accounts point to the degree that Iranian decision-making is spurred by a messianic worldview of ‘Mahdism’ – an apocalyptic belief that the return of the hidden Twelfth Shi'i Imam (al-Mahdi) is imminent, and concomitantly that the end of the world is approaching –

²¹⁶John Limbert, *Negotiating with Iran: Wrestling the Ghosts of History*, Washington D.C.: United States Institute of Peace Press, 2009, p. 15.

²¹⁷Porter, *Military Orientalism*, p. 18.

²¹⁸Ibid, p. 18.

²¹⁹It is notable that Mahdism is often associated with the same apocryphal theologies of Protestantism in literature examining its hold over Iranian policy and policy-makers, as opposed to taken on its own terms.

²²⁰For a basic critique of such views, see Ze'ev Maghen, “Occultation in Perpetuum: Shi'ite Messianism and the Policies of the Islamic Republic”, *Middle East Journal*, Vol. 62, No. 2, Spring 2008, pp. 232-257.

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as evidence not only of otherworldly Iranian desires for nuclear weapons, but also that it could not be trusted to use these weapons only for self-defence if it obtained them. In a report for the Middle East Media Research Institute (MEMRI) (which has been criticised in the past for selective reporting and questionable translations),²²¹ Ayelet Savyon and Yossi Mansharof make the bold claim that “[t]he messianic doctrine of Mahdism is also manifest in Iranian foreign policy, especially in its attitude towards the Western superpowers and towards the nuclear program”.²²² Jacquelyn Davis and Robert Pfaltzgraff assess the potential for Iran’s nuclear policy to be driven by a belief in the return of the Twelfth Imam as “worrisome”, and a potentially important source of Iran’s “nuclear ambitions”.²²³ More generally, Steven Ward links a discussion of Iranian attitudes towards warfare with what he sees as otherworldly concerns: “Iranian hard- liners, including the Supreme Leader, have reemphasized the Islamic Republic’s connection to the Hidden Imam and his coming return for the final battle between good and evil.”²²⁴ Elsewhere, Willis Stanley argues that Iran seeks a nuclear weapon in order to hasten the return of the Twelfth Imam.²²⁵ Finally, Dore Gold speculates that an Iranian bomb “is probably designed to create an apocalyptic opportunity to make Imamite Shi’a universally victorious” – another specific reference to the Mahdi.²²⁶

²²¹ See Brian Whitaker, “Selective Memri”, the *Guardian*, 12 August 2002, <http://web.archive.org/web/20160323154017/http://www.theguardian.com/world/2002/aug/12/worlddispatch.brianwhitaker> [Accessed 12.06.16]

²²² A. Savyon and Y. Mansharof, “The Doctrine of Mahdism in the Ideological and Political Philosophy of Mahmoud Ahmadinejad and Ayatollah Mesbah-e Yazdi”, *MEMRI, Inquiry & Analysis* #357, May 2008, p. 5.

²²³ Jacquelyn K. Davis and Robert L. Pfaltzgraff, *Anticipating a Nuclear Iran: Challenges for U.S. Security*, West Sussex: Columbia University Press, 2014, p. 58.

²²⁴ Ward, *Immortal*, p. 313.

²²⁵ Willis Stanley, “Iranian Strategic Culture and its Persian Origins”, in Jeannie L. Johnson, Kerry M. Kartchner, and Jeffrey A. Larsen (eds.), *Strategic Culture and Weapons of Mass Destruction: Culturally Based Insights into Comparative National Security Policymaking*, New York: Palgrave Macmillan, 2009, p. 153.

²²⁶ Henning P. Duus, “Deterrence and a Nuclear-Armed Iran”, *Comparative Strategy*, Vol. 30, No. 2, 2011, p. 143.

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These constructions of ‘Mahdism’ and belief in the Twelfth Imam’s return are often mapped onto a Eurocentric delineation of Iranian political worldviews between ‘hardliners’ and ‘moderates’, which in the process segregates the belief in the return of the Twelfth Imam to the realm of the otherworldly and ultimately hard-line religious belief. Mahmoud Ahmadinejad is described in one account as having developed nuclear policy under the influence of Ayatollah Mohammad-Taqi Mesbah Yazdi, “a leading proponent of Mahdism”.²²⁷ There is concern that Ahmadinejad and his inner circle could have been influenced by other ‘hard-line’ clerics said to be convinced by the idea of the Twelfth Imam’s imminent return, such as Ayatollah Nouri-Hamedani.²²⁸ Saeed Jalili, who headed Iran’s Supreme National Security Council from 2007-13 and was Iran’s chief nuclear negotiator during the same period, is likewise described as a “devout believer in Mahdism whose lifetime interest has been the application of principles derived from millennium-old Islamic traditions to Iran’s foreign policy”.²²⁹ Another raises issue with Ayatollah Khamenei’s education in Mashhad rather than Qom, “where it is not uncommon to find clerics who claimed to be in direct contact with the Hidden Imam”.²³⁰

The central anxiety expressed in these literatures is therefore that if nuclear weapons were ever to fall into the hands of ‘Mahdists’ in Iran – comprised of clerics, politicians, and even military personnel – they would be used. Iran’s inevitable pursuit of nuclear weapons is portrayed as entailing an intrinsic offensive rather than defensive purpose, and for this reason

²²⁷ Mohebat Ahdiyyih, “Ahmadinejad and the Mahdi”, *The Middle East Quarterly*, Vol. 15, No. 4, Fall 2008, pp. 27-36. Accessed online at <http://web.archive.org/web/20160323151457/http://www.meforum.org/1985/ahmadinejad-and-the-mahdi> [Accessed 08.06.16]

²²⁸ Dore Gold, *The Rise of Nuclear Iran: How Tehran Defies the West*, Washington D.C.: Regnery Publishing, 2009, pp. 216-217.

²²⁹ Ahdiyyih, “Ahmadinejad and the Mahdi”.

²³⁰ Gold, *The Rise of Nuclear Iran*, p. 217.

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makes the Islamic Republic a perpetual proliferation threat. Such accounts of the impact of ‘Mahdism’ in defining Iran’s strategic preferences, and in the nuclear context especially, attempt to link religious belief in the return of the Twelfth Imam with irrational policy choices made to hasten his return. Here the factor of religion influencing Iran’s nuclear policies is invoked in order to demonstrate why the state (and its clerics and politicians especially) is motivated to obtain and use nuclear weapons.²³¹ Consequently they define belief in the return of the Twelfth Imam – a foundational belief within Twelver Shi’i doctrine – as being an inherently irrational source of nuclear policy-making in Iran.

Despite the inference that ‘Mahdism’ represents a homogenous, primordial ideology among the Shi’i, the term has no natural equivalent in classical Islamic texts, and has only entered Iran’s political-religious lexicon recently as a political concept as ‘*mahdaviat*’.²³² As with concepts such as *fatwa* following the Rushdie affair, *jihad* after 11th September, or the caliphate following the emergence of the Islamic State in Iraq and al-Sham (ISIS) (and especially the spectacle of their terror), the concept of Mahdism has been defined in discourse over Iran’s nuclear programme according to the narrow confines of a Eurocentric approach for understanding religious belief in Iran, guided primarily by threat assessment as opposed to literature – derived from the field of Islamic Studies – which specifically addresses this concept more rigorously, and in line with definitions produced by Muslims themselves. As a result, the projection of Mahdism or ‘*mahdaviat*’ as an international security issue represents an act of social-construction within existing Eurocentric parameters of study and not the widening of these parameters to simply objectively factor in the variable of religion. In

²³¹ See Rubin, *Can a Nuclear Iran be Contained or Deterred?*, pp. 2-3; Mehdi Khalaji, *Apocalyptic Politics: On the Rationality of Iranian Policy*, The Washington Institute, Policy Focus 79, 2008, p. 26; Shmuel Bar, *Can Cold War Deterrence Apply to a Nuclear Iran?*, Jerusalem Center for Public Affairs, No. 7, 2011, p. 5.

²³² To be sure, Iranian seminaries now hold annual conferences on the Mahdaviat concept. See the *Official Website for International Conference on Mahdism Doctrine*, <http://web.archive.org/web/20160729114438/http://www.mahdaviat-conference.com/en/> [Accessed 29.07.16]

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reality, the concept of *mahdaviat* cannot be said to objectively reflect a coherent worldview among the Shi'a – let alone an irrational one or, as we are reminded by Said, a timeless one.²³³

On the one hand, the utilisation of Mahdism in discussions over Iran's strategic preferences implies that, given that belief in the return of the Mahdi is 'extremist', the Mahdi is otherwise irrelevant to mainstream Shi'i life: "no more than an eschatological idea with little immediate relevance to the actual life of society".²³⁴ This is a false premise, and – as we will see in later chapters – ignores the plethora of ways in which belief in the return of the Twelfth Imam can be expressed in Iranian society and Islamic political theology (e.g. religious taxation of 20% of income (*khums*) collected by *maraji* on behalf of the Twelfth Imam, the doctrine of *wilayat al-faqih* itself, etc.).

Trusting the Supreme Leader's Fatwa

In light of the assumption that religion both underpins Iran's strategic preferences and propels it towards obtaining a nuclear weapon, a debate has taken place over the validity and even existence of Ayatollah Khamenei's *fatwa* prohibiting nuclear weapons production.²³⁵ Such

²³³ Said, *Covering Islam*, p. 58.

²³⁴ Shmuel Bar, "God, Nations, and Deterrence: The Impact of Religion on Deterrence", in Keith B. Payne (ed.), *Understanding Deterrence*, Oxford: Routledge, 2013, p. 56.

²³⁵ For claims that Khamenei's *fatwa* is either non-existent, or at best irrelevant, see Melman & Javandanfar, *The Nuclear Sphinx of Tehran*, p. 98; Ali Ansari, "To Be or Not to Be: Fact and Fiction in the Nuclear Fatwa Debate", RUSI Commentary, February 2013, <http://web.archive.org/web/20160608155520/https://rusi.org/commentary/be-or-not-be-fact-and-fiction-nuclear-fatwa-debate> [Accessed 08.06.16]; Smith, "Iran's Missing Nuclear Fatwa". See also Breitbart Editor Joel Pollak, who has labelled Khamenei's *fatwa* an "elaborate hoax". Joel B. Pollak, "Obama Falls for Iranian 'Fatwa' Hoax on Nuclear Weapons", *Breitbart*, 29 September 2013, <http://web.archive.org/web/20160323170354/http://www.breitbart.com/national-security/2013/09/29/obama-falls-for-iranian-fatwa-hoax/> [Accessed 11.06.16]. For rebuttals of these claims, see Juan Cole, "Yes, MEMRI, there is a Fatwa from Khamenei Forbidding Nukes",

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concerns highlight a common confusion over the conditions of a *fatwa*'s validity. Ali Ansari, for instance, questions the existence of Khamenei's *fatwa* on the basis that it cannot be accessed by lay audiences in written form.²³⁶ Resting upon a problematic foundation that Islamic law is only valid or relevant as far as it is codified, this type of analysis is blind to the broader spectrum of ways in which Islamic law has historically been communicated to audiences. The Qur'an itself is believed to have been transmitted by the Prophet orally, its message relayed by followers who memorised it and remained unwritten during the lifetime of the Prophet.²³⁷ In the spirit of this special reverence for the oral transmission of knowledge, a *fatwa*, spoken in front of audiences of thousands of people and televised internationally, satisfies the criterion of authenticity even more so than a written *fatwa*; the latter only witnessed by a handful of individuals, and accepted by followers due to the presence of an official stamp of the *marja al-taqlid*'s office.²³⁸ The concerns expressed by experts such as Ansari also present a basic confusion over the difference between a *fatwa* pertaining to everyday religious practises (such as fasting and religious purity) and one pertaining to grander strategic issues, such as nuclear weapons proliferation. While the first category of religious edicts would easily be found in written form for the purposes of *taqlid*,

<http://web.archive.org/web/20160429130604/http://www.juancole.com/2012/04/yes-memri-there-is-a-fatwa-from-khamenei-forbidding-nukes.html> [Accessed 08.06.16]; Seyed Hossein Mousavian, "Globalising Iran's Fatwa Against Nuclear Weapons, *Survival: Global Politics and Strategy*, Vol. 55, No. 2, 2013, pp. 147-162; Sasan Aghlani, "Nuclear Assurances: When a Fatwa isn't a Fatwa", *Open Democracy*, 8 March 2013, <http://web.archive.org/web/20160323151625/https://www.opendemocracy.net/opensecurity/sasan-aghilani/nuclear-assurances-when-fatwa-isn%E2%80%99t-fatwa> [Accessed 08.06.16]

²³⁶ Ansari, "To Be or Not to Be: Fact and Fiction in the Nuclear Fatwa Debate".

²³⁷ Fred Leemhuis, "From Palm Leaves to the Internet", in Jane Dammen McAuliffe (ed.), *The Cambridge Companion to the Qur'an*, Cambridge: Cambridge University Press, 2006, p. 145.

²³⁸ See for instance the guidance of Ayatollah Ali Sistani: "Following a Mujtahid (Taqlid)", *Official Website of Ayatollah Ali Sistani*, <http://web.archive.org/web/20160727122758/http://www.sistani.org/english/book/48/2116/> [Accessed 27.07.16]

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the second type would be less likely to feature in compendiums of religious edicts (i.e. a *resalah*) due to its purpose and more specific audiences.

The debate over the validity of Khamenei's *fatwa* reflects a wider set of orientalist concerns about the apparent predisposition of Shi'a to conceal their true intentions through the practise of *taqiyyah*. In this context, it is said that the Islamic Republic cannot be assumed to be a reliable participant in non-proliferation regimes on the basis of Khamenei's *fatwa* given the propensity of its leaders to lie, and for this propensity to be legitimated under Islamic and 'Persian' cultural practises (e.g. *taqiyyah*).²³⁹ Hans Rühle, a former Head of Planning Staff at the German Ministry of Defence, likewise believes that the Iranians will inevitably break the terms of the JCPOA. "Barely three months after the signing of the nuclear deal, Iran has violated both UNSC 1929 and 2231, and tried to justify its actions with blatant lies. This is applied "taqiyya" in action."²⁴⁰ He furthermore states there to be a Muslim proclivity towards lying and deception rooted in a view of God fundamentally irreconcilable to that held by Christians:

In contrast to Christianity, which proceeds from God as being infallible and just, in Islam Allah is "the best of deceivers." Several suras in the Quran contain such references (3:54, 7:99, 8:30, 10:21, 13:42, 27:50). If and when appropriate, Allah can and will have humans speak and act in order to deceive others. The implications of this are clear: if Allah is "the

²³⁹ Taqiyyah is explored in the context of the nuclear debate as "sanctioned lying" in Tanya Ogilvie-White, "North Korea and Iran", in Tanya Ogilvie-White and David Santoro (eds.), *Slaying the Nuclear Dragon: Disarmament Dynamics in the Twenty-First Century*, Athens (GA): University of Georgia Press, 2012, p. 256.

²⁴⁰ Hans Rühle, "Will Iran Cheat on the Nuclear Deal", *the National Interest*, 20 January 2016, <http://web.archive.org/web/20160729130044/http://nationalinterest.org/feature/will-iran-cheat-the-nuclear-deal-14960> [Accessed 29.07.16]

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best of deceivers" who leads Islam's enemies astray, his adherents must do the same. The principle of "taqiyya" thus rests on firm ground and needs no special justification.²⁴¹

In addition, the notion of Khamenei reneging on the terms of a *fatwa* is also considered serious: "Khamenei can always change his mind".²⁴²

Both experts and pundits alike therefore selectively borrow cultural and Islamic concepts in arguments for why Iran will seek a bomb regardless of any empty assurances from its religious leaders that nuclear weapons are forbidden by Islamic law. Some have even discerned continuity between pre- and post- Revolutionary policies rooted in intrinsic 'Persian' culture that transcend sectarian or religious ideology. Here, it is believed that there is little discontinuity between the underlying strategic preferences of previous monarchical regimes and those of today's Islamic Republic – with both driven by an urge to expand its power and influence.²⁴³ Such conclusions correspond neatly with a standard realist narrative of Iran's strategic preferences as being immutable and enduring – no more than a symptom of grander international or regional dynamics – but nevertheless draw from orientalist models for understanding Iranian culture and the Islamic religion. Here the role of religion and the *ulama* are interpreted as purely functional: to help consolidate and expand the power of the Iranian state and to secure the survival of a regime.²⁴⁴ As a statement from a Professor at

²⁴¹ Ibid.

²⁴² Manshour Varasteh, *Understanding Iran's National Security Doctrine: The New Millennium*, Cornwall: Matador, 2013, p. 124.

²⁴³ For such claims, see Roby C. Barrett, *Iran: Illusion, Reality, and Interests*, Joint Special Operations University Report 12-8, Hurburt Field: JSOU Press, 2012, p. 48; Kenneth Katzman, "Iran's Foreign Policy", *Congressional Research Service*, 27 June 2016, p. 2.

²⁴⁴ Mamoun Fandy, "The Real Reason Iran Can't be Trusted", *Christian Science Monitor*, 20 November 2009, <http://web.archive.org/web/20160429131357/http://www.csmonitor.com/Commentary/Opinion/2009/1120/p09s03-coop.html> [Accessed 08.06.16]

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Georgetown University in 2009 highlights, these concepts are rarely taken on their own terms:

the Persians seem to have perfected the "art of deception" (in Persian: ketman or taqiya).

Taqiyah means dissimulation; ketman means paying lip service to someone in a position of authority while disagreeing with what they are saying. Both methods consist of telling someone who might harm you what you think they want to hear, as telling the truth might be dangerous. The Persians also perfected ta'arof – the use of extremely polite gestures to demonstrate to others that you are superior to them. As one pursues dominance and control, the enemy becomes overpowered. One rarely even grasps that he or she is being humiliated – and ultimately defeated – until it is too late. This concept is totally alien to Western culture.²⁴⁵

Again, belief in the notion that Iran routinely lies in the course of its nuclear diplomacy, and will ultimately cheat through the course of its nuclear deal in order to secure its *a-priori* goal of obtaining a nuclear weapon, gives an impression that Iran cannot be expected to adhere to non-proliferation regimes like the NPT, or any other commitments to limiting its nuclear capabilities. Concerns in the West at the prospect of an Iranian ‘sneak out’ scenario,²⁴⁶ where Iran adheres on the surface to the terms of non-proliferation treaties and other multilateral agreements aimed at preventing the illicit diversion of nuclear material for military purposes, while maintaining a parallel secret weapons programme far out of reach from monitoring

²⁴⁵ Harold Rhode and Joseph Raskas, “Iran's Strategy to Develop Nuclear Weapons”, *Gatestone Institute*, 29 May 2014, <http://web.archive.org/web/20160429131243/http://www.gatestoneinstitute.org/4328/iran-nuclear-strategy> [Accessed 11.06.16]

²⁴⁶ See James M. Acton, “Who Cares about an Iranian Nuclear Breakout? Beware of an Atomic “Sneak-out”, *The National Interest*, 4 November 2014, <http://web.archive.org/web/20160429131549/http://nationalinterest.org/feature/who-cares-about-iranian-nuclear-breakout-beware-atomic-sneak-11604> [Accessed 08.06.16]; Graham Allison, “Nuclear Disorder: Surveying Atomic Threats”, *Foreign Affairs*, Vol. 89, No. 1, January-February 2010, pp. 76-77; Graham Allison, “How Close is Iran to Exploding Its First Nuclear Bomb”, *Scientific American*, May 24, 2012, <http://web.archive.org/web/20160608155250/http://www.scientificamerican.com/article/how-close-iran-first-nuclear-bomb/> [Accessed 08.06.16]

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agencies such as the IAEA, illustrates how universal concerns about the efficacy of treaties and regimes can be projected as a higher risk when they invoke potent narratives about Islam and Iran related to deception. Similar concerns about Iranian negotiating tactics emerged both prior to and in the aftermath of the JCPOA,²⁴⁷ and comparisons between the JCPOA and the Munich Agreement were rife.²⁴⁸ Harold Rhode, who was an Advisor on Islamic Affairs to the US Secretary of Defense from 1982-2010, writes that “when Iranians think they aren’t being observed, they often do the opposite of what they may have just said they believe”.²⁴⁹

What is notable about these discourses is the manner with which they securitise a relatively mundane reality facing all legal agreements and treaties in the context of religious law. As such, the possibility that Iran’s leadership could, having previously adhered to an existent Islamic prohibition of nuclear weapons, be made to formulate or accept a new Islamic legal opinion on nuclear weapons given emerging security threats and new international circumstances, is deemed as a unique challenge deriving from the Islamic faith. Yet the contingency of all international law on the principle of ‘derogation’, and the proviso that “when faced with a public emergency that ‘threatens the life of the nation’, states are able to suspend certain basic rights,”²⁵⁰ draws attention likewise to the transience of secular international legal mechanisms aimed at moderating the use of force, and in particular

²⁴⁷ Gold, *The Rise of Nuclear Iran*, pp. 14-15.

²⁴⁸ See remarks by former and current US policy-makers in Mark Hensch, “Kirk: Iran Deal ‘Greatest Appeasement Since Chamberlain’”, *The Hill*, 15 July 2015, <http://web.archive.org/web/20160429131841/http://thehill.com/blogs/blog-briefing-room/248027-kirk-iran-deal-greatest-appeasement-since-chamberlain> [Accessed 09.06.16]; Eugene Scott, “Dick and Liz Cheney Liken Iran Nuclear Deal to Munich Pact”, CNN, 29 August 2015, <http://web.archive.org/web/20160429132026/http://edition.cnn.com/2015/08/29/politics/dick-cheney-iran-nuclear-deal-munich/> [Accessed 11.06.16]

²⁴⁹ Harold Rhode, “The Sources of Iranian Negotiating Behavior”, *Strategic Perspectives*, Jerusalem Center for Public Affairs, 2010, p. 11.

²⁵⁰ Stephen Humphreys, “Legalizing Lawlessness: On Giorgio Agamben’s State of Exception”, *The European Journal of International Law*, Vol. 17, No. 3, 2006, p. 678.

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prohibiting the use of weapons of mass destruction. The dilemma of trust is also very much apparent in official and unofficial strategic doctrines and policies. Many states possessing nuclear weapons today with 'no first use' (NFU)²⁵¹ nuclear policies nevertheless reserve or have reserved a right to use nuclear weapons to respond to attacks below the nuclear threshold (e.g. massive chemical or biological weapons attacks).²⁵² In the context of the Supreme Leader's *fatwa* however, we find that universal dilemmas related to trust and mistrust have become subsumed into a metanarrative of East-West relations, wherein Western states (and individuals) can be trusted to adhere to international agreements aimed at preventing proliferation, and Iran – by virtue of its religious and cultural characteristics – cannot. Within this realm of uncertainty and mistrust, nuclear negotiations between the P5+1 and Iran, we are told, becomes a chaotic “bazaar”²⁵³ where the West can only be tricked into believing that there exists a normative obstacle to Iranian nuclear proliferation, and sold a deal weighed in favour of Iran. This narrative of deception, legitimated upon grounds of religious practise and culture in Iran, has found its way into the rhetoric of Israel's Prime Minister: “[t]he Persians have been using these tactics for thousands of years, before America came to be”.²⁵⁴ The rhetoric is also easily picked up by North American analysts such as

²⁵¹ Harold A. Feiveson and Ernst Jan Hogendoorn, “No First Use of Nuclear Weapons”, *The Nonproliferation Review*, Vol. 10, No. 2, Summer 2003, pp. 1-9.

²⁵² The 2010 US Nuclear Posture Review still maintains a general rule that the United States would use nuclear weapons to defend its vital interests, and even against non-nuclear weapon states it deems in non-compliance with the NPT. See United States Department of Defense, *Nuclear Posture Review Report*, April 2010, <http://web.archive.org/web/20150711144518/http://www.defense.gov/npr/docs/2010%20Nuclear%20Posture%20Review%20Report.pdf> [Accessed 16.06.16], p. ix.

²⁵³ For an exposition of this, see Nima Shirazi, “Breaking Bazaar: A Rare Change in Rhetoric May Signal American Sincerity Toward Iran”, *Muftah*, 27 June 2014, <http://web.archive.org/web/20160429132530/http://muftah.org/breaking-bazaar-rhetoric-nuclear-diplomacy/> [Accessed 11.06.16]

²⁵⁴ Benjamin Netanyahu, quoted in David Nakamura and William Booth, “Israel's Netanyahu Warns Obama Not to be Fooled by Iran's Overtures”, *The Washington Post*, 30 September 2013,

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Mark Dubowitz: “sounds like Obama decided to enter the Persian nuclear bazaar to haggle with the masters of negotiation and has had his head handed to him”.²⁵⁵ It has also been exploited by lobbyists representing organisations such as the American Enterprise Institute seeking to derail negotiations with Iran that allow it to retain any independent capacity to manage its nuclear programme.²⁵⁶

Conclusion

This chapter has established that a strong component of the threat assessment of Iran’s nuclear programme is based upon orientalist discourse concerning how religion impacts Iran’s strategic preferences. These assumptions, regarding Shi’i ‘martyrdom’ culture for instance, ultimately guide how empirical is read within both academic and policy discourses, and find their currency in arguments which present Iran’s nuclear programme as an objective international security threat. Such arguments are narrowed and disciplined according to the limits of the dominant paradigm for understanding how religion can impact Iran’s strategic preferences, which as such distil discourses into conversations over the extent to which Iran – by being led by religious scholars – can be deterred from obtaining or using nuclear weapons.

Within an orientalist account of Iranian strategic preferences, the origins of its policies related to security and defence are othered as being irreconcilably different to those of other countries. This chapter offered a glimpse into a number of areas where Iranian strategic

http://www.washingtonpost.com/politics/israels-netanyahu-warns-president-obama-not-to-be-fooled-by-irans-overtures/2013/09/30/8660b63c-29db-11e3-97a3-ff2758228523_print.html [Accessed 23.03.16]

²⁵⁵ Mark Dubowitz, quoted in Eli Lake and Josh Rogin, “Exclusive: Obama’s Secret Iran Détente”, *The Daily Beast*, 8 November 2013,

<http://web.archive.org/web/20160117175257/http://www.thedailybeast.com/articles/2013/11/08/exclusive-obama-s-secret-iran-d-tente.html> [Accessed 09.06.16]

²⁵⁶ Danielle Pletka, “Iran Rips off the West in the Nuclear Bazaar”, *American Enterprise Institute*, 8 November 2013, <http://web.archive.org/web/20160117175425/http://www.aei.org/publication/iran-rips-off-the-west-in-the-nuclear-bazaar/> [Accessed 11.06.16]

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preferences are imagined as the ‘other’, and how these images have their roots in representations of the country’s religious scholars as ‘mad mullahs’. Rather than enriching our understanding of normative variance in how strategic policy is formulated across different cultures and religions, and among different strategic actors, we find here that these approaches present a tautological definition of the Iranian nuclear threat in the sense that assessments and projections for where Iranian policy are driven by a range of discourses concerning Iran, Islam, and its *ulama* that construct Iran as an irrational actor. In sum, Iran is destined to obtain and use nuclear weapons – a course of action conceived synonymously with irrational action – because of self-evident religious and cultural characteristics which compel it to do so.

Given this context, some scholars and experts have either provided refutations of the normative agenda at the heart of the threat assessment of Iran’s nuclear programme, or in other instances offered modest forms of ‘horizontal’ critique of prevailing discourse through providing the counter-argument that Iran is a rational-actor and can be deterred.²⁵⁷ This type of literature rejects some of the type of ontology surveyed in this chapter as being rooted in normative bias and ethnocentrism as opposed to objective ‘fact’. Significant as this literature is, what it does not do, however, is challenge to a significant degree the epistemological boundaries of how Iran is discussed in the context of its nuclear programme. Why, for example, should the question of whether Iran is a rational or irrational actor be so central to the discussion? How do we as experts and analysts define as rationality? In an effort to illustrate Iran’s ‘rationality’ or prudence in the nuclear debate, foundational questions such as these concerning the narrowness of the debate itself have remained unanswered.

²⁵⁷ See Leverett and Leverett, *Going to Tehran*; Mark Fitzpatrick, *The Iranian Nuclear Crisis: Avoiding Worst-Case Outcomes*, Oxford: Routledge, 2013, pp. 81-82; Shashank Joshi, *The Permanent Crisis: Iran’s Nuclear Trajectory*, Oxford: Routledge, 2015, pp. 86-87.

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Just as the discourse of ‘mad mullahs’ relies upon discourses of clerical irrationality in order to underpin assessments of Iran’s nuclear intentions, the realist perspective negates their role as shapers of its nuclear trajectory, essentially dismissing the *ulama* once more as being little more than unwitting vessels of *realpolitik*. Many of the arguments we will proceed to assess in the next chapter put forth the notion that Iran is a ‘realist’ state, but imply that any of its formal policies associated with restraint, pragmatism, or rationality writ large, indicate that religion can have only at most a minor impact on its strategic preferences and behaviour as a state. The unique agency and thoughts of the *ulama* scarcely feature at all in this account, aside from placating references to their rationality²⁵⁸ which is itself conceived in ethnocentric terms.

We will see that just as a reliance on orientalism will inevitably distort and skew the threat assessment we make of Iran’s nuclear programme, an overriding reliance on realism oversimplifies the link between Iran’s religious-political strategic thinking and an overarching systemic game of power-politics, and ultimately reinforces the hegemony of secularised IR by assuming that Iran, as a ‘like unit’, would be inevitably compelled to obtain nuclear weapons. While realism is able to identify the ephemeral characteristics of self-interest and the pursuit of material power with regards to Iran, it makes an implicit normative claim that Iran’s strategic preferences derive from a Hobbesian ‘state of nature’, rather than religious beliefs and values.

²⁵⁸ See for instance Waltz’s claim that “Iranian policy is made not by “mad mullahs” but by perfectly sane ayatollahs who want to survive just like any other leaders”. Waltz, “Why Iran Should Get the Bomb”, p. 4.

Chapter Three: The Limits of Realism: Iran as a ‘Like Unit’ in the Deterrence Parameter

It is strange that the problem of Others has never truly disturbed the realists. To the extent that the realist takes everything as given, doubtless it seems to him that the Other is given. In the midst of the real, what is more real than the Other?²⁵⁹

Introduction

As was established in the conclusion of Chapter Two, an argument could be made that, given that much of the discourse on Iran and its nuclear programme is dependent upon orientalism, those seeking to provide a more accurate trajectory of Iran’s nuclear programme can simply return to more objective, realist foundations for understanding nuclear strategy and patterns of nuclear proliferation. This chapter will explore why this avenue is fraught with its own problems that my own approach seeks to avoid. I use the term realism to refer to both the IR paradigm and its sub-paradigms (i.e. realism, structural realism/neo-realism, etc.), and a broader philosophical tendency reflecting a “general theory of (scientific) knowledge”, assuming that “the world is independent of our knowledge-gathering activities”.²⁶⁰

Sanjay Seth notes that the predominant humanist/Weberian approach towards historicism treats societies and individuals as the cause or constitutive source of religion, rather than vice versa.²⁶¹ What this frequently leads to is the subjection of forms of understandings developed

²⁵⁹ Jean-Paul Sartre, *Being and Nothingness: an Essay on Phenomenological Ontology*, London: Methuen, 1958, p. 223.

²⁶⁰ Paul K. Feyerabend, *Realism, Rationalism & Scientific Method: Philosophical Papers Volume I*, Cambridge: Cambridge University Press, 1985, p. 3.

²⁶¹ Sanjay Seth, “Which Past? Whose Transcendental Presupposition?”, *Postcolonial Studies*, Vol. 11, No. 2, 2008, Pp. 218-225.

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elsewhere in the world to (largely secular) epistemologies, and forms of understanding in the language itself²⁶² – as Michel de Certeau puts it, repeatedly asking something else of the ‘other’ than what they had intended in their own speech and practises.²⁶³ I argue that through situating Iran within a systemic theory of strategic agency which promises to provide an empirical, universal model of how states act to preserve their existence under conditions of ‘anarchy’, realist approaches to understanding strategic decisions in Iran concerning its nuclear programme subject religious narratives and agency to a Eurocentric, functionalist²⁶⁴ lens. Even critiques of how the Islamic Republic is presented in contemporary discourse – namely as an ‘irrational’ actor led by Muslim fanatics, as surveyed in the previous chapter – tend to focus on the refutation of specific normative claims levelled at Iran (e.g., that it’s leaders are irrational), or within a more general dismissal of existing literatures and policies as being driven by a deep-seated orientalist ontology rather than ‘objective’ realism,²⁶⁵ rather than a critique of the terms of the debate itself. Realist critiques of contemporary discourse

²⁶² Ibid, p. 221.

²⁶³ Michel de Certeau, *The Writing of History* [Tr. Tom Conley], New York: Columbia University Press, 1988, p. 138. See also Seth, “Which Past? Whose Transcendental Presupposition?”, p. 221.

²⁶⁴ Functionalism is here referred to in a broader sense than how it is usually applied to IR theory, which – influenced by a Durkheimian account of functionalism – centres more formally on institutional, organisational or world systems theories (see for instance Ernst B. Haas, *Beyond the Nation-State: Functionalism and International Organization*, Colchester: ECPR Press, 2008). By contrast, the reference to functionalism in this thesis (specifically, in the context of realism) denotes a pre-emptive inclination to interpret (and categorise) complex cultural, social and religious practises as derivative of a basic necessity for societies to sustain and replicate certain structures, or secure particular objectives. This latter definition reflects Said’s concern that the ‘text’ – for our present purposes, religious discourse – become a “self-consuming artifact; idealized, essentialized, instead of remaining the special kind of cultural object it is with a causation, persistence, durability and social presence quite its own”. (Edward W. Said, *The World, the Text and the Critic*, Cambridge (MA): Harvard University Press, 1983, p. 148. See also Bill Ashcroft and Pal Ahluwalia, *Edward Said*, Oxford: Routledge, 2008, p. 16.).

²⁶⁵ See Leverett & Mann Leverett, *Going to Tehran*; Beeman, *The “Great Satan” vs. the “Mad Mullahs”*, pp. 69-90; Ram, *Iranophobia*.

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can be described as horizontal in that it is the ontological claims levelled at Iran, and not so much the ‘regimes of truth’²⁶⁶ giving them salience, which are taken to task.

Deconstruction in this chapter is by contrast more vertical in that it focuses on the epistemic restraints that have come to narrow the study of Iran’s strategic preferences, and lend salience to the prevailing ontologies associated with the nuclear debate. As Foucault observes,

[e]ach society has its regime of truth, its “general politics” of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned the techniques and procedures accorded value in the acquisition of truth, the status of those who are charged with saying what counts as true.²⁶⁷

In the context of Iran’s nuclear programme, discourse frequently proliferates around ethnocentric definitions of rationality and irrationality in nuclear affairs,²⁶⁸ and namely the extent to which Iran can be deterred from obtaining or using nuclear weapons. This particular epistemological framework for reading Iran’s nuclear programme was not inevitable, but rather constitutes a regime of truth I refer to as the ‘deterrence parameter’.

It is these epistemic constraints, and the manner with which the deterrence parameter facilitates the production and reproduction of certain essentialist ontologies associated with

²⁶⁶ By ‘regime of truth’, I refer to Michel Foucault’s definition as “a system of ordered procedures for the production, regulation, distribution, circulation and functioning of statements” and the “entanglement” of the resultant “corpus of knowledge, techniques, [and] ‘scientific’ discourse” to power. Michel Foucault, *Discipline and Punish: the Birth of the Prison*, London: Penguin Books, 1991, p. 23; Michel Foucault, “Truth and Power” in Colin Gordon (ed.), *Power/Knowledge: Selected Interviews & Other Writings, 1972-1977* by Michel Foucault, New York: Pantheon Books, 1980, p. 133.

²⁶⁷ Foucault, “Truth and Power”, p. 131.

²⁶⁸ My focus in this chapter on the ethnocentrism of nuclear discourse draws from Ken Booth’s seminal study of ethnocentrism and strategy, employing his definition of ethnocentrism both as the tendency “to describe feelings of group centrality and superiority”, and as “a faulty methodology in the social sciences”. Booth, *Strategy and Ethnocentrism*, pp. 14-15.

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Iranian strategic preferences, and ways of defining Iranian strategic agency, that I critique in this chapter. Far from reflecting objective facts about international security, nuclear stability and proliferation patterns, or an objective empirical framework for understanding Iran's nuclear policies, realist discourse concerning Iran's nuclear programme in fact reveal much more about the limits of intellectual inquiry in understanding religion as an influence for strategic behaviour. In this sense, it is worth reassessing the representation of Iran as a strategic actor in nuclear discourse with Patrick Porter's recognition that "Westerners have debated about themselves, their own societies and policies, through visions of the Orient"²⁶⁹ in mind.

I begin by assessing the importance of social-construction in nuclear proliferation and deterrence as theorisation and policy. Social-construction determines the assumptions that we make about how states behave in the atomic age, why states pursue nuclear weapons, and how they behave once they have them. Both narrative and discourse are therefore crucial factors which influence the way in which data is interpreted and understood in the context of nuclear proliferation and the conception of nuclear strategy. The importance of narrative and discourse to the discussion of nuclear weapons supports the case for adopting a critical, post-positivist methodology for understanding why the current debate over Iran's nuclear programme is both methodologically flawed, and limited in its explanatory power. One reason is that the positivist propensity to objectify and study Islamic discourses concerning nuclear weapons and *jihad* "creates [...] an image of 'ideas' as discrete objects (*rather* than as 'beliefs' or mental events) which can causally influence other objects, in this case policies",²⁷⁰ thus rendering positivist accounts predisposed towards attributing causality to Islamic concepts that become reified in the process of tracing the policy-making process.

²⁶⁹ Porter, *Military Orientalism*, p. 18.

²⁷⁰ Mark Laffey and Jutta Weldes, "Beyond Belief: Ideas and Symbolic Technologies in the Study of International Relations", *European Journal of International Relations*, Vol. 3, No. 2, 1997, p. 207.

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Anthony Burke also observes in his deconstruction of temporal metaphors associated with nuclear weapons that positivist accounts are not equipped to facilitate a critique of how discourse about nuclear weapons is produced within a specific episteme (and therefore not neutral), or how discourse about the ‘other’ in relation to nuclear strategy is conjoined to a range of narratives about the ‘self’. Positivist accounts, writes Burke,

fail to illuminate the political, moral, normative and strategic stakes and conflict around nuclear knowledge and policy [...] they fail to put under scrutiny the way in which such genres of rhetoric and reasoning (strategic, moral, policy, historical etc.) are imagined, structured, and deployed in the creation of nuclear knowledge – a ‘knowledge’ which goes beyond the raw physics to the creation of dynamic and contested assemblages which link science, engineering, strategic doctrine, moral thinking and defence policy into complex, contested wholes.²⁷¹

In this sense, a positivist lens – such as that of realism – will inevitably reveal more about the ‘West’ than it does about Iranian strategic preferences, and therefore prove adequate only in describing the ephemeral characteristics of Iran current policies, but not – as is often implied – providing a convincing account of where Iran’s policies could go in the future. In this regard, as David Campbell notes, “[t]he path from “raw data” to the finished intelligence report is a succession of interpretive practices”,²⁷² and as such realism is merely a prism through which Iran’s nuclear programme is read and often securitised.

Here I focus specifically on the transition from US strategic discourse away from utopianism and idealism, towards realism and many of the ideas associated with nuclear deterrence theory, and highlight this transition as a process of social construction. This process

²⁷¹ Anthony Burke, “Nuclear Time: Temporal Metaphors of the Nuclear Present”, *Critical Studies on Security*, Vol. 4, No. 1, 2016, p. 4.

²⁷² David Campbell, *Politics without Principle: Sovereignty, Ethics, and the Narratives of the Gulf War*, London: Lynn Rienner Publishers, 1993, p. 10.

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represented a shift away from viewing the ‘other’ as an irrational actor, to viewing it as being driven by the same rational and unexceptional drive of self-preservation as the ‘self’. It is crucial that we consider this history so that we may develop a fuller critique of the epistemological boundaries which discipline existing literatures and discourses on Iranian strategic agency, within which it can only ever be considered an irrational other or ‘like-unit’. In this regard, the analysis here informs a more specific study of realist treatments of Iran’s strategic preferences towards nuclear weapons later in the chapter, and in particular representations of the clergy.

Narrating Nuclear Strategy and Proliferation Trends

A realist narrative of why states seek nuclear weapons and how they choose to employ them within broader strategic doctrines is frequently taken for granted by students and historians of IR.²⁷³ This narrative holds that the diffusion and indeed proliferation of nuclear weapons – both horizontally among states, and vertically in terms of numbers of weapons held in possession – was inevitable following the bombings of Hiroshima and Nagasaki after 1945. Specifically, a tendency towards framing nuclear proliferation as an on-going process in accordance with what Benoît Pelopidas calls the “proliferation paradigm”²⁷⁴ promotes a linear view the diffusion of nuclear weapons among states (and eventually non-states) “in terms of automaticity and contagion”.²⁷⁵ Within the proliferation paradigm, it is enough to

²⁷³ See Freedman, *The Evolution of Nuclear Strategy*, p. 436; Christopher Hobbs and Matthew Moran, “Looking Beyond a Nuclear-Armed Iran: Is Regional Proliferation Inevitable?”, the *International Spectator*, Vol. 47, No. 4, December 2012, p. 129. For a rationalist critique of this narrative and our quickness to accept it as conventional wisdom, see Scott Sagan, “Why do States Build Nuclear Weapons?: Three Models in Search of a Bomb”, *International Security*, Vol. 21, No. 3, Winter 1996-1997, pp. 54-86.

²⁷⁴ Pelopidas, “The Oracles of Proliferation”, pp. 297-314.

²⁷⁵ William Potter and Gaukhar Mukhatzanova, “Introduction” in William Potter and Gaukhar Mukhatzanova (eds.), *Forecasting Nuclear Proliferation in the 21st Century: Volume 1: The Role of Theory*, Palo Alto: Stanford University Press, 2010, p.2; Pelopidas, “The Oracles of Proliferation”, p. 298.

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know that nuclear weapons exist to also know that they will evidently spread among states, with both the deterrent value and strategic appeal of these weapons taken for granted.

This perception lends discussions of nuclear weapons a “tragic sense of foreboding over debates about international security today”,²⁷⁶ and ultimately colours the way we view the direction of Iran’s nuclear programme. It is this sense of foreboding that colours the perception that, despite what Iran’s clerics might say about nuclear weapons in public, they will naturally pursue what we calculate as being the best military means for protecting the Islamic Republic against existential threats, and for preserving (or enhancing) their political power.²⁷⁷

As Paul Feyerabend’s observed that histories of science frequently project the narrative of innovation and discovery as being simpler, duller and more objective than the vast complexities, chaos and mistakes which were and are fundamental to the these processes,²⁷⁸ the dominant realist narrative of nuclear proliferation (and ultimately strategy) reflects a lack of appreciation for normative ideas: both in how they determine the nuclear policies of the ‘self’, and in defining how we view the strategic agency of the ‘other’. Here there exists a parallel with popular narrations of the Cold War. Realists frequently narrate the Cold War as being an unavoidable outcome of the global distribution of power and military vulnerabilities

²⁷⁶ Jacques Hymans, *The Psychology of Nuclear Proliferation*, p. 2.

²⁷⁷ Similarly, this latter narrative also guides accounts – predominant in influential punditry – suggesting that Iran’s leaders are motivated by the desire to maintain their power domestically, and for this reason would not necessarily seek a nuclear weapon due to the severe diplomatic isolation and perhaps even armed conflict this would prompt. See Peter Beinart, “Iran’s Leaders Are Not Suicidal”, the *Atlantic*, 2 March 2015, <http://web.archive.org/web/20160512135752/http://www.theatlantic.com/international/archive/2015/03/irans-leaders-are-not-suicidal-nuclear-deal/386507/> [Accessed 08.06.16]; Max Fisher, “No, Netanyahu, Iran is Not Secretly Planning to Nuke Israel”, *Vox*, 3 March 2015, <http://www.vox.com/2015/3/3/8140991/iran-nuke-israel> [Accessed 12.05.16]

²⁷⁸ Paul Feyerabend, *Against Method: Outline of an Anarchistic Theory of Knowledge*, London: Atlantic Highlands Humanities Press, 1975, p. 19.

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following the Second World War. Paul Kennedy's assessment of the emergence of US-Soviet superpower bipolarity reflects this tendency, focusing on economic and military metrics of 'great power' status such which permitted the United States and Soviet Union to enter into a rivalry.²⁷⁹ Of the US side of this equation, he writes that

[w]ith the traditional Great Powers fading away, it steadily moved into the vacuum which their going created; having become number one, it could no longer contain itself within its own shores, or even its own hemisphere.²⁸⁰

Equally, Kennedy suggests these metrics as definitive indicators of conflict emergence, "[w]hat could not be doubted [...] was the Soviet determination not to be left behind".²⁸¹ Military historians are especially inclined to ignore the importance of ethnocentrism in accounting for the development of policy after 1945, and certainly the notion that such factors played any meaningful role in defining the kinds of nuclear weapons postures thought conceivable in those years. "What is remarkable about these attitudes" writes John Lewis Gaddis of idealist thinking in US policy-making "is not that they existed but how quickly they were given up".²⁸² In Gaddis' narrative it was a matter of "weeks" rather than years after the bombing of Hiroshima that US officials abandoned the idea that atomic monopoly could be a sustainable foundation in favour of a foreign policy designed around coercive diplomacy.²⁸³ This kind of a narrative of strategic policy after 1945 coincides with the foundational 'myths' of IR as a discipline; specifically the paradigm shift from liberalism to

²⁷⁹ Paul Kennedy, *The Rise and Fall of Great Powers: Economic Change and Military Conflict from 1500 to 2000*, London: Unwin Hyman, 1988, pp. 357-364.

²⁸⁰ Ibid, p. 359.

²⁸¹ Ibid, p. 364.

²⁸² John Lewis Gaddis, *We Now Know: Rethinking Cold War History*, Oxford: Oxford University Press, 1998, pp. 89-90.

²⁸³ Ibid, pp. 89-90.

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realism as a conclusion to the first in a series of ‘great debates’²⁸⁴ (and subsequently, the rise of ‘scientific’ realism and the behavioural revolution which characterised the second ‘great debate’)²⁸⁵ following the Second World War.

In an international strategic context, these narratives suggest that after the US acquisition of atomic weapons, immediate structural incentives pushed the Soviet Union towards obtaining its own arsenal after 1945. The United States is envisioned here subsequent to its acquisition of nuclear weapons, and during the ensuing arms-race, as an almost “passive actor – responding only in self-defence when provoked by Soviet actions”.²⁸⁶ Here, the action-reaction model – where actions “by any potentially hostile state to increase its military strength will raise the level of threat seen by other states and cause them to react by increasing their own strength”²⁸⁷ – is considered the primary factor defining strategic preferences and military dynamics after the introduction of nuclear weapons to international affairs. Moreover, the nuclear arms-race between the United States and Soviet Union is projected as unavoidable; a marker of the Cold War as a ‘security dilemma’,²⁸⁸ driven by what Alex Roland terms “technological determinism”.²⁸⁹

²⁸⁴ Peter Wilson, “The Myth of the ‘First Great Debate’”, *Review of International Studies*, Vol. 24, The Eighty Years’ Crisis 1919-1999, December 1998, p. 1.

²⁸⁵ David A. Lake, “Theory is Dead, Long Live Theory: The End of the Great Debates and the Rise of Eclecticism in International Relations”, *European Journal of International Relations*, Vol. 19, No. 3, 2013, pp. 569-570.

²⁸⁶ Christopher Layne, *Peace of Illusions: American Grand Strategy from 1940 to the Present*, New York: Cornell University Press, 2007, p. 52.

²⁸⁷ Buzan & Herring, *The Arms Dynamic in World Politics*, p. 83.

²⁸⁸ For a characterisation in this vein of the Cold War, see Robert Jervis, “Cooperation under the Security Dilemma”, *World Politics*, Vol. 30, No. 2, January 1978, pp. 167-214.

²⁸⁹ Alex Roland, “Was the Nuclear Arms Race Deterministic?”, *Technology and Culture*, Vol. 51, No. 2, April 2010, p. 444.

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These narratives point to the Cold War being inevitable, requiring “little explanation”.²⁹⁰

Here the United States is conceived as having based its own strategic calculations around what were objective, material indicators of its own insecurity, which accommodated the rising influence of “strategists in power”²⁹¹ such as Bernard Brodie, Herman Kahn and Thomas Schelling (the impact of which on today’s projections of Iranian strategic preferences to be surveyed later). This process allowed theories of containment and deterrence to become hegemonic, permitting general principles for why powers like the Soviet Union would inevitably pursue nuclear power and ultimately nuclear weapons. The narrative that global strategic postures and policies towards nuclear proliferation were – and are still, in the case of Iran – guided first and foremost by a prudent, benign calculation by states of how atomic weapons technology transform the balance of power in an anarchic, ‘self-help’ system, therefore denotes a realist heritage.

Likewise today, Iran’s alleged pursuit of a nuclear weapon is considered in terms of automaticity with general reference to systemic or regional distributions of hard-power, and proliferation is ultimately taken for granted. Here the potential that Iranian strategic preferences could depart from those of other states – beyond the orientalist ontology surveyed in Chapter Two – and that religion could play an important role in shaping Iran’s nuclear policies, is conceived as an almost abstract concern divorced from the empirical business of objectively forecasting and predicting nuclear proliferation in the Middle East through reading quantitatively measurable variables of insecurity.²⁹² The narrative goes some way

²⁹⁰ Ibid, p. 52.

²⁹¹ Fred Kaplan, *The Wizards of Armageddon*, New York: Simon & Schuster, 1983, p. 390. Also see Pelopidas, “Oracles of Proliferation”, p. 297.

²⁹² See for instance various attempts at modelling Iranian behaviour during the nuclear crisis using game theory: Mohiaddin Mesbahi, “Trust and U.S.-Iran Relations: Between the Prisoner’s Dilemma and the Assurance Game”, *Iranian Review of Foreign Affairs*, Vol. 4, No. 1, Spring 2013, pp. 7-51; Bruce Bueno de Mesquita, “A Prediction for the Future of Iran” [Transcript], *TED Conferences*, April 2009,

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towards explaining why today's discussion of Iran's nuclear intentions is – like much of the traditional ways of studying nuclear weapons – perceived as a predominantly empirical affair.

Structural-realism provides a link between the view that the Cold War – and ultimately nuclear proliferation, as well as the arms-race between the two superpowers – was inevitable, and more conceptual accounts of the roots of Iranian strategic preferences in the nuclear field. As a paradigm, it bridges the gap between nuclear strategic discourse and IR by locating the root causes of the acquisition of nuclear weapons in systemic sources of mutual insecurity that rendered these weapons both an attractive deterrent for states, and the ultimate guarantors of stable bipolarity:

In the great-power politics of bipolar worlds, who is a danger to whom is never in doubt [...]

The United States is the obsessing danger for the Soviet Union, and the Soviet Union for the United States, since each can damage the other to an extent no other state can match.²⁹³

Kenneth Waltz' *Theory of International Politics* (1979) is a formative text of this paradigm in IR. Waltz would go on to establish himself as a foremost critic of prevailing representations of Iranian strategic agency, insisting that Iran is a rational actor and that its obtaining nuclear weapons could be “the best possible result: the one most likely to restore stability to the Middle East”.²⁹⁴ Outlining a series of immutable laws of international relations which

http://web.archive.org/web/20160507143350/https://www.ted.com/talks/bruce_bueno_de_mesquita_predicts_ira_n_s_future/transcript?language=en [Accessed 09.06.16] See also the prevalent use of game theory terminology and metaphors in accounts of Iranian nuclear policies and behaviour during negotiations with the P5+1:

“Editorial: The Ayatollah's Poker Face”, *Chicago Tribune*, 25 June 2015,

<http://web.archive.org/web/20160507141202/http://www.chicagotribune.com/news/opinion/editorials/ct-iran-nuclear-deadline-kerry-obama-editorial-20150624-story.html> [Accessed 08.06.16]; Nader Entessar, “Iran's Nuclear Program and Foreign Policy”, in Thomas Juneau and Sam Razavi (eds.), *Iranian Foreign Policy Since 2001: Alone in the World*, Oxford: Routledge, 2013, pp. 79-80; Ali Ansari, “Nuclear Poker”, *The World Today*, Vol. 62, No. 5, May 2006. pp. 4-6.

²⁹³ Waltz, *Theory of International Politics*, p. 170.

²⁹⁴ Waltz, “Why Iran Should Get the Bomb”, p. 2.

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preclude the Cold War from being an outcome of social-construction, Waltz proposes that it is structures rather than individuals or cultures which “limit and mold agents and agencies and point them in ways that tend toward a common quality of outcomes even though the efforts and aims of agents and agencies vary”.²⁹⁵ Crucially for Waltz, it is states rather than individuals or domestic institutions which operate as agents of war and peace in what is conceived as an ‘international system’ – a conclusion he systematises from his earlier critique of ‘first image’ (classical realism) and ‘second image’ (liberalism) theories in *Man, the State and War: a Theoretical Analysis*.²⁹⁶ To this day, the assumptions of this paradigm influence our understanding of nuclear strategy,²⁹⁷ and the notion held by critics of orientalist accounts that clerics and religious belief are by and large irrelevant drivers of Iranian security policy.

As a rationalist theory of conflict, power is here calculated almost mathematically, and state agency becomes synonymous with the pursuit of military guarantors of security in an anarchic ‘self-help’ system. This leads Waltz to predictably adduce that “[a]lmost as soon as their wartime alliance ended, the United States and Soviet Union found themselves locked in a cold war”.²⁹⁸ Here, ideology, culture and certainly religion are of little relevance for analysis relative to ‘hard-power’ factors which influence strategic policy.

Imagining the Other’s Strategic Preferences

Despite the salience of these accounts of the Cold War in the trajectory of assessing the other’s strategic agency in the atomic age, a wholly realist narrative cannot account for a continued streak of American exceptionalism in both US strategic policy and the assumptions

²⁹⁵ Ibid, p. 74.

²⁹⁶ Kenneth N. Waltz, *Man, the State and War: a Theoretical Analysis*, New York: Columbia University Press, 1959, p. 12.

²⁹⁷ Freedman, *The Evolution of Nuclear Strategy*, p. 436; Hymans, *The Psychology of Nuclear Proliferation*, p. 42.

²⁹⁸ Kenneth N. Waltz, “The Emerging Structure of International Politics”, *International Security*, Vol. 18, No. 2, Autumn 1993, p. 4.

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made concerning certain ‘cultural’ roots of Soviet strategic preferences (and specifically Soviet attitudes to warfare) lasting beyond 1945. The discursive shifts that would permit the Soviet Union to become equated in psychological and motivational terms with the United States, and ultimately recognised as a ‘rational’ adversary with similar interest in attaining a nuclear weapon for their own security – rooted in the anarchic structuring of the international system – were perhaps more instrumental to the rise of more pragmatic policy designs confronting nuclear issues than material factors themselves.

Such a transition in the context of US-Soviet superpower rivalry is imagined as a linear departure from utopian doctrines towards a more objective (and enlightened) analysis of capabilities, vulnerabilities and mutual interest for self-preservation in the atomic age. Such a linear path is marked by a stable balance of terror during the 1950’s and 1960’s, and later periods of détente and rapprochement between the superpowers in the 1970s. In a similar fashion, calls today for a similar process of reconciliation with Iran²⁹⁹ likewise project the benefits for strategy and policy of rethinking the ‘other’ as an outcome of more prudent, rationalist analysis of strategy agency.

Yet contrary to the rationalist myth of the origins and trajectory of the Cold War, as well as the primary variables driving strategic postures and nuclear policies – which today reinforce the ‘proliferation paradigm’ in assessments of where Iran’s nuclear programme is headed – US policies years after 1945 did little to reflect the global balance of power. For a brief period, the United States believed that they could “base the postwar [sic] period on good faith

²⁹⁹ See for example the comparisons made between Obama’s diplomacy – or attempts at diplomacy – with Iran in the context of the nuclear issue, and President Richard Nixon’s opening of relations with Communist China in 1972: Nathan Gonzales Mendejgis, “The Coming US-Iranian Partnership: A Historic Nuclear Deal and a Glimpse into the Not-So-Distant Future”, *Georgetown Journal of International Affairs*, Vol. 17, No. 1, Winter-Spring 2016, pp. 54-55; Leverett and Man Leverett, *Going to Tehran*, p. 7.

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and getting along with everybody”,³⁰⁰ and did not imagine that nuclear weapons would immediately change this dynamic. According to Henry Kissinger, former Secretary of State and staunch proponent of realism, few statesmen “gave any attention to what would happen after the war”. In a similar vein, Moeed Yusuf states that academic and policy discourse began to design policies around the assumption that ‘horizontal’ or ‘Nth’ proliferation was inevitable only after 1949³⁰¹ – the year of the first Soviet atomic test. Transforming the Soviet Union discursively into a potential superpower rival with eyes on atomic parity or superiority was more contingent on imagining it as such than it was access to ‘better’ intelligence following 1949.

That nuclear deterrence postures – both as policies designed to deter other nuclear powers from using their arsenals, and policies designed to deter states from obtaining them – were both drawn up as policy in such haste after the first Soviet atomic test, and endured even after the Cold War had ended,³⁰² lends itself to an important counter-narrative stating that it was in fact ways of thinking about the ‘other’ – rather than material indicators of proliferation on their own – which played a fundamental role in shaping nuclear weapons policies and the growing salience of the proliferation paradigm. Far from being guided first and foremost by a prudent analysis of Soviet military strength and vulnerability, as a narrative such as Kennedy’s would suggest,³⁰³ early policies and discourse were informed by specific

³⁰⁰ Henry Kissinger, *For the Record: Selected Statements, 1977-1980*, Boston: Weidenfeld and Nicholson, 1981, pp. 123-24. See also Melvyn P. Leffler, “The American Conception of National Security and the Beginnings of the Cold War, 1945-48”, *The American Historical Review*, Vol. 89, No. 2, April 1984, p. 346.

³⁰¹ Moeed Yusuf, “Predicting Proliferation: The History of the Future of Nuclear Weapons”, Brookings Institute, Policy Paper, No. 11, January 2009, pp. 13-14.

³⁰² For example, in the form of the continued policy of keeping a number of nuclear weapons on ‘hair trigger’ alert, capable of being launched at a moment’s notice. See Hans M. Kristensen and Matthew McKinzie, *Reducing Alert Rates of Nuclear Weapons*, United Nations Institute for Disarmament Research, Geneva: Switzerland, 2012.

³⁰³ See Kennedy, *The Rise and Fall of Great Powers*, discussed in the previous section.

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perceptions of the ‘self’ and the ‘other’ in the context of atomic technology. This counter-narrative is important to take into consideration especially when one considers the United States’ own intelligence estimates which predicted that the Soviet Union would acquire its own independent nuclear arsenal. The Soviets had begun atomic weapons research in 1943 on the orders of Josef Stalin,³⁰⁴ accelerating their efforts to attain a bomb in July 1945 after US President Harry S. Truman informed Stalin of US intent to detonate an entirely new destructive weapon in Japan. Although “[t]he scientist’s fears about freezing out the Soviets had been realized [...] the president had chosen to ignore their warnings”.³⁰⁵ The Soviets were also projected by a variety of intelligence services to attain an atomic weapon sometime between 1950 and 1965.³⁰⁶ Though these incorrect estimates can certainly be attributed partly to intelligence failures, there does also appear to have been little appreciation at the time that the Soviet Union’s strategic planning would ‘mirror’ that of the United States. Soviet strategic preferences were imagined as being born out of fundamentally different ways of thinking about warfare than those which compelled strategic planners in the United States. The notion that another state – let alone the ‘Asiatic’ Soviet Union – could develop its own nuclear programme independent of American assistance, or even overtake the United States in the quality or quantity of its weapons, did not guide how intelligence was read or policy was developed until after the first Soviet atomic test in 1949. Up until that moment, Sovietologists such as Geroid T. Robinson – inaugural head of Columbia's Russian Institute – would propose essentialist and ‘orientalised’ views of the roots of Russian strategic

³⁰⁴ Richard Dean Burns and Joseph M. Siracusa, *A Global History of the Nuclear Arms Race: Weapons, Strategy, and Politics – Volume 1*, Santa Barbara: Praeger, 2013, p. 26.

³⁰⁵ Shane Maddock, *Nuclear Apartheid: The Quest for American Atomic Supremacy from World War II to the Present*, Chapel Hill: University of North Carolina Press, 2010, p. 28.

³⁰⁶ Gaddis, *We Now Know*, pp. 99-100. See also William Burr, “U.S. Intelligence and the Detection of the First Soviet Nuclear Test, September 1949”, *National Security Archive*, 22 September 2009, <http://web.archive.org/web/20160506152851/http://nsarchive.gwu.edu/nukevault/ebb286/> [Accessed 08.06.16]

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preferences, such as that Russian foreign-policy decisions were born from an apparent "Byzantine-Asiatic" inheritance and not rational choice.³⁰⁷ Such ethnocentric views of strategic agency as indicators of modernity, which conflated Western patterns of strategic decision-making with cultural superiority, persisted throughout the 20th century. Booth for instance notes the tendency to frame the development of the Soviet Navy during the 1970's as an outcome of the Russians having "discovered" sea power:³⁰⁸

The implication of this attitude is that their approach has hitherto been inferior and backward, but that now it is moving out of the northern mists into the light of the only begotten Mahan.³⁰⁹

What we therefore find is that dominant discourses constructed in the West concerning the strategic preferences of the Soviets revealed "very little about what was actually going on in the Soviet Union but a great deal about the fears and fascinations of the West".³¹⁰ Atomic energy and weaponry were subsumed into a narrative of US exceptionalism, and imagined as being uniquely under its domain: "it was America that took over the knowledge, organized it, fitted it together, underwrote the engineering work required, and got out in front with every indication that it means to stay in front".³¹¹ Such a narrative of nuclear technology also impacts certain assessments today based around a bewilderment that Iran, as a 'Third World' Muslim country, could have genuine aspirations to maintain and develop the most 'modern' of scientific technologies available. Similar to representations of Russians as driven by an

³⁰⁷ David C. Engerman, *Know Your Enemy: The Rise and Fall of America's Soviet Experts*, Oxford: Oxford University Press, 2009, p. 32.

³⁰⁸ Booth, *Strategy and Ethnocentrism*, p. 38.

³⁰⁹ Ibid, p. 38.

³¹⁰ M. Keith Booker and Dubravka Juraga, "The Reds and the Blacks: The Historical Novel in the Soviet Union and Postcolonial Africa", in Dubravka Juraga and M. Keith Booker (eds.), *Socialist Cultures East and West: A Post-Cold War Reassessment*, Westport: Praeger Publishers, 2002, p. 13.

³¹¹ Max Lerner, "Science and American Power", *The American Scholar*, Vol. 15, No. 4, Autumn 1946, p. 439.

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intrinsic irrationalism which would at best delay and at worst prevent them from mastering atomic technology, certain images of suicide bombings and acts of terrorism have also been conjured in attempts at presenting the Islamic faith as inherently both anti-science and anti-technology.³¹²

One particular area of US strategy – “nuclear one worldism”³¹³ – specifically highlights the centrality of ethnocentric views about nuclear weapons and the strategic preferences of the ‘other’ (in this case, the Soviet Union) well after the end of the Second World War. It also provides a better picture of how a regime of truth can come to govern discourse on nuclear weapons strategy towards policies that do not necessarily reflect objective ‘facts’ about global distributions of power, or the strategic preferences of the ‘other’. This strategy aimed at maintaining atomic monopoly and promoting a world in which the civil use of nuclear energy would be dictated by the United States alone.³¹⁴ Successive US administrations of Roosevelt (1941-45) and Truman (1945-49) chose to design and push strategic postures around the assumption that a unipolar world order could be sustainable in the long-term, right up until Soviet Union’s first successful nuclear test (known as RDS-1, or ‘First Lightning’) in 1949. Both inter- and post- war administrations rejected policy recommendations which contradicted the assumption that pursuing atomic monopoly could be a realistic course for policy, or recommended that the United States perhaps share its nuclear knowhow with its wartime allies.

The Baruch Plan represented an early attempt at promoting nuclear one-worldism. Drawn up in 1946 and presented at the United Nations Atomic Energy Commission on 14th June of that year, the Plan proposed that a system of international control over raw atomic materials be

³¹² Soraya Tremayne, “Not all Muslims are Luddites”, *Anthropology Today*, Vol. 22, No. 3, June 2006, pp. 1-2.

³¹³ Daniel Deudney, *Bounding Power: Republican Security Theory*, Princeton: Princeton University Press, 2007, pp. 244-264.

³¹⁴ Ibid, pp. 244-264.

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implemented.³¹⁵ The Plan proposed that an International Atomic Development Authority be created, tasked with overseeing

all phases of the development and uses of atomic energy [...] for then and only then would the United States be prepared both to cease the manufacture of atomic bombs and dispose of its stockpile.³¹⁶

Such ideas contained in the Baruch Plan had their roots in establishment thinking. For Henry Stimson, who oversaw the Manhattan Project, US-led control over atomic technology was so profound an obligation that failure in doing so would represent a “disaster to civilization”³¹⁷. Full control was in his view the only course of action that would ensure a lasting world peace where “*our*”³¹⁸ civilization” could be “saved”.³¹⁹ Indeed, some of the language contained in the Plan reveals a far grander significance than just US national security interests:

Behind the black portent of the new atomic age lies a hope which, seized upon with faith, can work our salvation. If we fail, then we have damned every man to be the slave of Fear. Let us not deceive ourselves: We must elect World Peace or World Destruction.³²⁰

Disarmament would – naturally, given the US monopoly on these weapons – be a process undertaken for the good of mankind by the United States at its own pace:

³¹⁵ “The Baruch Plan (Presented to the United Nations Atomic Energy Commission, June 14, 1946”, *Atomic Archive*, <http://web.archive.org/web/20150516105912/http://www.atomicarchive.com/Docs/Deterrence/BaruchPlan.shtml> [Accessed 08.06.16]

³¹⁶ David G. Coleman and Joseph M. Siracusa, *Real-World Nuclear Deterrence: The Making of International Strategy*, Westport: Praeger, 2006, p. 111

³¹⁷ Henry Stimson, “The Decision to Use the Atomic Bomb”, *Harper’s Magazine*, 194, February 1947, pp. 99-100; Larry G. Gerber, “The Baruch Plan and the Origins of the Cold War”, *Diplomatic History*, Vol. 6, No. 1, 1982, p. 69.

³¹⁸ My emphasis.

³¹⁹ Henry Stimson, cited in Gerber, “The Baruch Plan and the Origins of the Cold War”, p. 69.

³²⁰ “The Baruch Plan”.

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We of this nation, desirous of helping to bring peace to the world and realizing the heavy obligations upon us arising from our possession of the means of producing the bomb and from the fact that it is part of our armament, are prepared to make our full contribution toward effective control of atomic energy.³²¹

A similar ethos of gradual dissemination of nuclear technology under the auspices of United States, who would retain in both quantitative and qualitative terms a position of atomic hegemony, came to permeate the Atoms for Peace programme (in which Iran would eventually participate). Atoms for Peace would subsequently materialise in the form of the International Atomic Energy Agency (IAEA), whose Board of Governors membership was guaranteed for many years to be composed of “states most developed in nuclear technology”,³²² and particularly the United States.

Aspirations for nuclear one-worldism were met with instant opposition, and shown to be unpragmatic and driven by utopian idealism. Soviet scientists and politicians unsurprisingly viewed the Baruch Plan in starkly different terms to those of the US government.

Anticipating latter-day critiques of the IAEA, and numerous disparities at the heart of the Nuclear Non-proliferation Treaty that a state of ‘nuclear apartheid’ between the nuclear ‘haves’ and ‘have nots’,³²³ they feared that the Baruch Plan amounted to an “international organization, likely U.S.-dominated, to control or inspect all aspects of Russian atomic

³²¹ Ibid.

³²² Benjamin N. Schiff, “Dominance without Hegemony: U.S. Relations with the International Atomic Energy Agency”, in Margaret P. Karns and Karen A. Mingst (eds.), *The United States and Multilateral Institutions: Patterns of Changing Instrumentality and Influence*, Oxford: Routledge, 2005, pp. 54-55.

³²³ See Maddock, *Nuclear Apartheid*. See also Jaswant Singh, “Against Nuclear Apartheid”, *Foreign Affairs*, Vol. 77, No. 5, September-October 1998, pp. 41-52; and Nina Tannenwald, who writes that “it is in the nuclear regime that issues of justice and fairness appear most critical to long-term sustainability and viability”, in “Justice and Fairness in the Nuclear Nonproliferation Regime”, *Ethics & International Affairs*, Vol, 27, No. 3, 2013, p. 299.

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production and resources”.³²⁴ These types of utopian plans were also criticised by a swathe of realist strategists who would ultimately rethink the Soviet Union and the place of the United States in the world. The main premise of Stimson’s arguments and the outline of the Baruch Plan were for instance irreconcilable with ideas outlined anonymously by George Kennan in his now famous ‘X Article’ for *Foreign Affairs* one year later in 1947. In the article, Kennan outlined his realist theory of containment, and called for the Soviet Union to be not ‘converted’ but instead ‘contained’. For Kennan, the United States had to focus its efforts mounting a more long-term challenge to Soviet designs on achieving hegemonic status:

the United States has in its power to increase enormously the strains under which Soviet policy must operate, to force upon the Kremlin a far greater degree of moderation and circumspection than it has had to observe in recent years, and in this way to promote tendencies which must eventually find their outlet in either the break-up or the gradual mellowing of Soviet power.³²⁵

Given that the Soviet Union had by that point been considered by and large to possess strategic-military doctrines fundamentally different from those in the West, Kennan makes two important suppositions in this passage that were symptomatic of break from the predominant ontologies associated with thinking about the global balance of power up until that point. First, the United States did not need to convert the Soviet Union in order to manage it and the international system. The Soviets could be forced to behave in certain ways that were beneficial for the United States through carefully signalled and calculated US actions that would prompt predictable reciprocal actions. These reciprocated actions could be anticipated, and therefore conducive to a balance of power between the two states. Second,

³²⁴ Arnold A. Offner, *Another Such Victory: President Truman and the Cold War, 1945-1953*, Palo Alto: Stanford University Press, 2002, p. 150.

³²⁵ George F. Kennan [under pseudonym “X”], “Sources Soviet Conduct”, *Foreign Affairs*, Vol. 25, No. 4, July 1947, p. 582.

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Kennan implies that this approach of containment – dependent on a multipolar or at least bipolar (as opposed to unipolar) world – could be incredibly stable.

Recommendations that the United States design its policies around an assumption that Soviet mastery of nuclear weapons technology would be only a matter of time, and should therefore be managed rather than prevented, were as likely to come from scientists who had worked on the Manhattan Project as they were from realists such as Kennan. A series of memoranda from James Bryant Conant and Vannevar Bush to Stimson confirm that leading scientists and administrators of the Manhattan Project had advised that the President should authorise the sharing of information about the bomb, believing the task of keeping the ‘atomic secret’ from its allies to be futile: “the height of folly”.³²⁶ Other requests from the scientific community came in the form of the *Report of the Committee on Political and Social Problems of the Manhattan Project "Metallurgical Laboratory"* – more commonly known as the Franck Report. Its authors argued that the United States

cannot hope to avoid a nuclear armament race, either by keeping secret from the competing nations the basic scientific facts of nuclear power, or by cornering the raw materials required for such a race.³²⁷

While these scientists certainly held idealist beliefs regarding the role that scientific ‘internationalism’ and specifically the diffusion of nuclear technology internationally would

³²⁶ James G. Hershberg, *James B. Conant: Harvard to Hiroshima and the Making of the Nuclear Age*, Palo Alto: Stanford University Press, 1995, pp. 204-205.

³²⁷ Franck Papers B 18 F 23, U.S. National Archives, Washington D.C., Record Group 77, Manhattan Engineer District Records, Harrison-Bundy File, Folder No. 76. Transcribed from the original document by the International Panel on Fissile Materials, <http://web.archive.org/web/20160415162711/http://fissilematerials.org/library/fra45.pdf> [Accessed 17.06.16], p. 4.

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play in securing global peace,³²⁸ they grounded their recommendations on what they believed was a very practical assessment of incentives and capacities for other major powers to ‘go nuclear’.

Despite these views, policy continued to reflect a belief that ‘shutting out’ the Soviet Union and other states from atomic technology was a sustainable course, despite protestations from James Franck, co-author of the report and a leading nuclear physicist, who described this course bluntly as “too stupid even for the movies and the funny papers.”³²⁹ Today, similar criticisms have been levied at calls by opponents of the JCPOA for greater intrusion in Iran’s civil nuclear programme, and Iran’s indefinite suspension of higher enrichment capability. As the prolific structural-realist Stephen Walt remarked of opposition to the JCPOA – which he characterised as being driven by “magical thinking” – “even a country as powerful and secure as the United States pays a price when it allows magical thinking to shape national policy”.³³⁰

As a somewhat logical conclusion to the exceptionalist vision of atomic technology and weapons in the United States after 1945 was the rise of ‘coercive diplomacy’: the use of force – or the threat to use force – in order to achieve political objectives (a doctrine which persists to this day).³³¹ This amounted to thinking about how to use atomic weapons in order to conquer, in the words of Henry L. Stimson, “forces of nature too revolutionary and dangerous

³²⁸ Many of these scientists would also subsequently play important roles in disarmament efforts later on, and particularly in pushing for a Test Ban Treaty in 1963.

³²⁹ Maddock, *Nuclear Apartheid*, p. 11.

³³⁰ Stephen M. Walt, “The Myth of a Better Deal”, *Foreign Policy*, 10 August 2015, <http://web.archive.org/web/20160104030455/http://foreignpolicy.com/2015/08/10/the-myth-of-a-better-deal-iran-nuke-wmds-iraq/> [Accessed 12.06.16]

³³¹ Sharad Joshi surveys the United States’ use of coercive diplomacy after 11th September in his doctoral thesis “The Practice of Coercive Diplomacy in the Post-9.11 Period”, Doctoral Thesis, University of Pittsburgh (Graduate School of Public and International Affairs), 2006. See also Peter Viggo Jakobsen, *Western Use of Coercive Diplomacy after the Cold War: A Challenge for Theory and Practice*, London: Palgrave Macmillan, 1998.

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to fit into the old concepts”:³³² states which were believed to threaten strategic equilibrium.

The doctrine conceives the US atomic arsenal as representing "a valuable instrument for maintaining law and order in the post-war world [...] above all because they were an American monopoly".³³³ Even after the acquisition of nuclear weapons after 1949 by other major powers, the assumption which underpinned coercive diplomacy – that the United States was obligated to use nuclear threats when necessary in order to preserve its own security interests, and that these interests were synonymous with international security – remained ever-present in US military doctrine. Examples range from President Nixon's use of a nuclear alert to prompt Soviet pressure on North Vietnam in 1969,³³⁴ to plans to develop (before calls for R&D funding were dropped 2005-06³³⁵) Robust Nuclear Earth Penetrators (RNEP) – ‘bunker-busters’ – which veteran journalist Seymour Hersh claims were primarily aimed for pre-emptive use against nuclear sites in Iran.³³⁶ Taken into account, it can be said that US policy in the immediate post-war era was in this area of policy geared towards convincing other states (with if necessary force or the threat of force) of the ‘benefits’ of complying with a global order whose terms would inevitably be set by the United States.³³⁷

³³² Henry L. Stimson, “Memorandum to President Truman”, in Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War*, New York: Harper and Brothers, 1947, p. 644.

³³³ Freedman, *The Evolution of Nuclear Strategy*, p. 53

³³⁴ Scott Sagan and Jeremy Suri, “The Madman Nuclear Alert: Safety, Secrecy and Signalling in October 1969”, *International Security*, Vol. 27, No. 4, Spring, pp. 150-183; William Burr & Jeffrey P. Kimball, *Nixon's Nuclear Specter: The Secret Alert of 1969, Madman Diplomacy, and the Vietnam War*, Lawrence: University Press of Kansas, 2015.

³³⁵ H. Josef Hebert, “Bush Admin. Drops ‘Bunker-Buster’ Plan”, *Associated Press*, 25 October 2005, http://web.archive.org/web/20051027195236/http://news.yahoo.com/s/ap/20051026/ap_on_go_pr_wh/bunker_buster [Accessed 09.06.16]

³³⁶ Seymour Hersh, “The Iran Plans”, *The New Yorker*, Annals of National Security, 17 April 2006, <https://web.archive.org/web/20160508133901/http://www.newyorker.com/magazine/2006/04/17/the-iran-plans> [Accessed 09.06.16]

³³⁷ G. John Ikenberry, “Institutions, Strategic Restraint, and the Persistence of American Postwar Order”, *International Security*, Vol. 23, No. 3, Winter 1998-1999, p. 54.

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These terms would naturally overlap with US national security interests, and the taken-for-granted assumption that the United States was obligated to use its military superiority to keep a *Pax Americana* for the benefit of the world.

Understanding the epistemic parameters which helped determine that proposals such as those contained in the Franck Report were rejected, and those contained in the Baruch Plan were championed, is essential for us to understand the securitisation of Iran's nuclear programme today beyond the notion that these threat assessments reflect objective truths about the driving force behind its intentions and capabilities. The United States' achievement of atomic hegemony by the end of the Second World War overlapped neatly with its narratives of American exceptionalism, and in this regard it is no surprise that the idea of nuclear governance remained a compelling one in Washington. The convergence was seemingly obvious enough to convince one government advisor (and later President of the Carnegie Institution for Science) in 1946 that "[t]he challenge to our leadership — moral, intellectual and political — will come during the first meetings of the Atomic Energy Commission, scheduled to begin about the time these lines appear in print."³³⁸ When arguing that nuclear secrecy undermined the reputations of both the US and Soviets as 'great' civilisations in 1953, John Foster Dulles' marked nuclear weapons as a signifier of modernity in stating that "[i]n the past higher civilizations have always maintained their place against lower civilizations by devising more effective weapons".³³⁹ Even Kennan, often considered the father of US containment policy, was not immune to potent narratives of American exceptionalism at the heart of the United States' new position of hegemony and atomic

338 Caryl P. Haskins, "Atomic Energy and American Foreign Policy, *Foreign Affairs*, Vol. 24, No. 4, July 1946, p. 607.

339 John Foster Dulles, quoted in Matthew Jones, *After Hiroshima: The United States, Race, and Nuclear Weapons in Asia, 1945-1965*, Cambridge: Cambridge University Press, 2010, p. 149.

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primacy. He ultimately assigned what would be otherwise considered in realist terms a benign post-war balance of power unique teleological significance:

[...] the thoughtful observer of Russian-American relations will find no cause for complaint in the Kremlin's challenge to American society. He will rather experience a certain gratitude to a Providence which, by providing the American people with this implacable challenge, has made their entire security as a nation dependent on their pulling themselves together and accepting the responsibilities of moral and political leadership that history plainly intended them to bear.³⁴⁰

Containment for Kennan then, which presupposes an adversarial challenge to US primacy, and in the case of the Soviet Union pointed to the existence of a political system and ideology dichotomous to the ideals sought by the United States, was in Kennan's eyes itself an affirmation of manifest destiny – a challenge to be eventually overcome.

The presumption of “American moral and political guardianship over atomic technology” not only pushed the United States towards policies designed to maintain its atomic monopoly, but also more crucially, as Shane Maddock observes, inevitably “undercut the professed U.S. goal of nuclear containment”.³⁴¹ We find that the advent of US atomic supremacy did not bring about an immediate or considerable shift away from the basic premises of idealism in policy, despite the material indicators of Soviet nuclear ascendancy being ‘inevitable’. This is not to say that US policy-makers were, in Gaddis' caricature, “babes in the woods, innocently unaware of the relationship between power and interests”,³⁴² but instead that we should not lose sight of the normative framework – and ultimately, the epistemic parameters – which

³⁴⁰ Kennan, “Sources of Soviet Conduct”, p. 582.

³⁴¹ Maddock, *Nuclear Apartheid*, p. 2.

³⁴² John Lewis Gaddis, “Was the Truman Doctrine a Real Turning Point?”, *Foreign Affairs*, Vol. 52, No. 2, January 1974, p. 399.

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permitted those salient ideas and assumptions related to the place of the United States in the world to determine aspects of nuclear policy. One historian makes the comment that

Truman simply absorbed nuclear energy into a preexisting pattern of thought that housed both idealistic and realistic elements—if international co-operation could not harness the danger and promise of nuclear energy, the United States would have to rely on nuclear superiority to deter aggression or to prevail in war should deterrence fail.³⁴³

The poor reception of the Franck Report and commitment to the Baruch Plan between 1945-49 both problematise the notion that we can today project increased horizontal nuclear proliferation – especially with regards to Iran – based on reference to what are considered objective, ‘material’ sources of insecurity, characterised by realists like Waltz as the ‘systemic’ causes of nuclear proliferation and “spreading”³⁴⁴ efforts. Today the diffusion of nuclear weapons is viewed precisely "in terms of automaticity and contagion",³⁴⁵ or from within what Benoît Pelopidas calls the ‘proliferation paradigm’.³⁴⁶ This paradigm conflates rational agency with nuclear proliferation, or at the very least an Anglo-American-European tradition of lending nuclear weapons deterrent value as guarantors of state security. As Pelopidas reminds us, "proliferation" is itself a word borrowed from biology, retaining pathological connotations and lends an impression of inevitability³⁴⁷ that does not allow space for normative values to be considered as having impact on the development of strategic

³⁴³ S. David Broscious, “Longing for International Control, Banking on American Superiority: Harry S Truman’s Approach to Nuclear Energy”, in John Lewis Gaddis, Philip Gordon, Ernest May and Jonathan Rosenberg (eds.), *Cold War Statesmen Confront the Bomb: Nuclear Diplomacy Since 1945*, Oxford: Oxford University Press, 1999, p. 24

³⁴⁴ Waltz distinguishes between proliferation as a more horizontal process, and the increase of nuclear weapons added to existing nuclear weapon states (NWS). Sagan and Waltz, *The Spread of Nuclear Weapons*, p. 1.

³⁴⁵ Potter and Mukhatzanova, “Introduction”, in Potter and Mukhatzanova (eds.), *Forecasting Nuclear Proliferation in the 21st Century: Volume 1*, p. 2.

³⁴⁶ Pelopidas, “The Oracles of Proliferation”, p. 298.

³⁴⁷ Pelopidas, “The Oracles of Proliferation”, p. 302.

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preferences in the nuclear age. Such a paradigm conceives Eurocentric thinking developed during the Cold War concerning nuclear strategy and rational action as being universal, negating the possibility of other conceptions of rationality:

[t]he one-sided and Eurocentric logic of ‘planned’ proliferation, which promotes horizontal proliferation to those states that neorealists deem ‘rational’ and ‘objective’ is merely a reproduction of the superpower-based ‘Cold War’ era thinking. These ideologies disregarded the agency of the ‘weak’ and ‘powerless’, and the importance of the Global South or ‘Third World’ in affecting international affairs, and arbitrarily assigned rationality and objectivity to the great powers.³⁴⁸

There are historical examples of states foregoing nuclear weapons or energy despite seemingly practical reasons to keep them. It was assumed, for instance, that an Egyptian nuclear weapon would be the inevitable outcome of the regional balance of power in the Middle-East in the late 1960’s and early 1970s. As Pelopidas highlights, Egypt’s decision to give up its nuclear weapons programme after Israel was widely believed to have developed its own arsenal challenges conventional wisdom about the reasons why states pursue nuclear weapons.³⁴⁹

A faith in the ability of policy-makers, strategists, and international security scholars to benignly interpret material indicators of security and insecurity, and – based on such an analysis – accurately forecast patterns of nuclear proliferation (and ultimately construct their own policies) therefore precludes a more holistic understanding of how material factors are read against powerful discourses and narratives in the process of threat-assessment. It assumes that the intelligence analyst is free from normative prejudice: the “perfect analyst”,

³⁴⁸ Alex H. Chung, “Postcolonial Perspectives on Nuclear Non-Proliferation”, *Conference Paper for the ISAC-ISSS Joint Annual Conference 2014*, 14-16 November 2014, pp. 6-7.

³⁴⁹ Pelopidas, “The Oracles of Proliferation”, p. 305.

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“free of nationally inflected education and prejudice and orthodoxy”, possessing “crystalline certainty of perception”.³⁵⁰ Similarly, as David Campbell points out, “much of the discourse on intelligence [...] begins from the unstated assumption that knowledge is something that can be perfected such that its object of concern can be transparently observed”.³⁵¹

The early atomic age reveals that knowledge is rarely ever produced or consumed within a vacuum. Early nuclear policies were informed by discourses that were rendered salient within specific epistemic boundaries of strategic thinking, or ‘regimes of truth’, which determined how the strategic preferences of the ‘self’ and ‘other’ were considered as reflecting objective truth. At that time, this regime of truth precluded the Soviet Union from being viewed as a fully rational actor. The idea that the Soviets “stood outside the bounds of Western civilization and could not be counted on to act rationally and honourably”³⁵² played an important part of determining which types of Soviet responses to US policies were conceived as imaginable. US nuclear policies and strategic postures since the Second World War were in this sense influenced by ethnocentrism, and this may have delayed policy-makers from contemplating a long-term strategy of deterrence in favour of grandiose aims of maintaining an atomic monopoly and coercing other states to conform to its global order. Whereas the emerging Soviet atomic ‘threat’ was initially downplayed based on a particular reading of what were believed to be the cultural roots of its strategic preferences, we find today that through ‘orientalising’ the alleged cultural and religious origins of Iran’s strategic preferences that the opposite conclusion is drawn.³⁵³ On the other side of the spectrum then,

³⁵⁰ Kjetil Anders Hatlebrekke & M. L.R. Smith, "Towards a New Theory of Intelligence Failure? The Impact of Cognitive Closure and Discourse Failure", *Intelligence and National Security*, Vol. 25, No. 2, 2010, p. 181.

³⁵¹ Campbell, *Politics without Principle*, p. 10.

³⁵² Maddock, *Nuclear Apartheid*, p. 34.

³⁵³ See Introduction and Chapter Two.

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the United States has heavily securitised Iran's nuclear programme in spite of its own intelligence estimates.³⁵⁴

Imagination has therefore always played a crucial role in how military intelligence assessments of emerging technologies that would transform the enemy's strategic and tactical doctrines of warfare are read by policy-makers unfamiliar with the extent to which culture and ideology can impact such decisions, and especially when there is already a lack of technical data.³⁵⁵ Furthermore, it precludes an understanding of how normative values within other states can shape their strategic preferences through helping to determine how technical data and seemingly 'objective' metrics of insecurity are viewed. Our modern assumption of "*Homo Strategicus*"³⁵⁶ in the context of how Iran is threat-assessed, and indeed its own formulation of strategic policy, warrants deconstruction.

Ethnocentrism and 'Thinking the Unthinkable' in the Deterrence Parameter

A more realist focus on seemingly objective geopolitical metrics of nuclear proliferation, and potential successes or failures of deterrence, distinguish another set of ontologies situated within the boundaries of the regime of truth governing dominant narratives of Iran's nuclear trajectory. Within this deterrence parameter, realist discourses and narratives related to the origins of and driving force behind Iran's nuclear intentions have become more salient in defining academic and policy accounts (see the next section). Such accounts model Iranian strategic agency according to the core assumptions of structural realism, and as almost polemical rebuttals to the ontological orientalism permeating much of the discourse on Iran's

³⁵⁴ See Introduction.

³⁵⁵ Reginald Victor Jones for instance comments in his memoirs of his time working in intelligence gathering during the Second World War that in reality, surprisingly little scientific and technical data was collected by British intelligence. Reginald Victor Jones, *Most Secret War: British Scientific Intelligence 1939-1945*, London: Coronet Books, 1985, p. 109.

³⁵⁶ Booth, *Strategy and Ethnocentrism*, p. 14.

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nuclear programme (surveyed in the previous chapter).³⁵⁷ In the process however, they dismiss or downplay the importance of religion, culture and ideology in the Islamic Republic as factors which determine its strategic preferences concerning nuclear weapons, constructing Iran as a 'like-unit'. Religious actors and values are viewed largely as superfluous to what are seen as objective definers of its own 'hard security' agenda, or at most, functional in the sense that they exist only to legitimise certain pre-determined courses of action. Iran is within this account considered a rational actor based on an ethnocentric conception of rationality defined by norms, institutions and forms of strategic preferences conceived in the West. Thus, through conceiving a new ontology of 'rational' action, theorists and commentators of the realist persuasion nevertheless fail to conceptualise Iranian strategic agency beyond the confines of a dominant regime of truth which privileges the ethnocentric definition of rationality in other states as mirroring that within Western states.

We have thus so far highlighted the adoption of more realist deterrence postures in the 1950's as a choice born of the social-construction of the Soviet 'other'. With the 1949 Soviet atomic test, policy makers began to consider more seriously the ramifications of coexisting with a fully rational, technologically capable, and strategically 'modern' Soviet Union, and what this would mean for the United States' own postures. In order to buttress this shift in policies from monopoly and prevention to those centred on containment and deterrence, Soviet identity – as well as that of the United States – underwent a radical reconstruction, and in the process lost much of its otherness. Whereas a US Secretary of Defence (1947-49) James V. Forrestal was once able to proclaim that "the Russians, like the Japanese, are essentially Oriental in their thinking",³⁵⁸ to so easily dismiss the premise of mutual-rationality on the basis of the racist ontology of orientalism did little to convince a swathe of realist thinkers

³⁵⁷ See for instance Waltz, "Why Iran Should Get the Bomb", p. 4; Leverett & Mann Leverett, *Going to Tehran*.

³⁵⁸ John Morton Blum (ed.), *The Price of Vision: The Diary of Henry A. Wallace 1942-1946*, New York: Houghton Mifflin, 1973, pp. 482-485.

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whose strategic analysis of Soviet military and political agency was informed less by civilisational binaries than the seemingly objective metric of power: material capabilities.

The rise of a network of “defense intellectuals”³⁵⁹ facilitated a shift in strategic policies away from the narrative of US exceptionalism and towards those of realism. The defence intellectuals – among whom the most well-known are Bernard Brodie, Thomas Schelling and Herman Kahn – viewed their type of analysis as a departure from that of previous strategic thinkers in the sense that it was designed in order to identify empirically the material factors which guided state behaviour and interaction. This move towards realism in the theory and practise of nuclear weapons strategy serves as a microcosm of a broader trend in IR theory during the same period away from idealism to realism during the behavioural revolution of the 1950’s and 60’s.³⁶⁰ Their rise marked an ontological shift within the deterrence parameter, and the consolidation of certain assumptions that became and remain hegemonic in both the study and design of nuclear weapons strategy.

These theorists and their peers downplayed the analysis of the others’ unique cultural, ideological, and religious sources of strategic preferences. Quite the opposite, *Strategy in the Missile Age* (1959), *On Thermonuclear War* (1960), and *The Strategy of Conflict* (1960) – all formative texts in nuclear deterrence theory, and strategic thinking in the nuclear age more broadly – all assumed basic motivations for states to use (or threaten to use) nuclear weapons predictably, and for other states to pursue them. The authors fashioned their theories about deterrence and proliferation while at the RAND Corporation, a policy-institute that would, in Kahn’s view, be chastised for its “icy rationality” in opposition to “warm human error”, and

³⁵⁹ Kaplan, *The Wizards of Armageddon*, p.11.

³⁶⁰ John Hobson, *The Eurocentric Conception of World Politics: Western International Theory, 1760-2010*, Cambridge: Cambridge University Press, 2012, pp. 185.

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“nice emotional mistake[s]”.³⁶¹ In the process of doing so, these defence intellectuals privileged US strategic agency in defining the behaviour of the Soviet Union.³⁶² Whereas idealism had previously situated prudent strategic thinking in the atomic age within a uniquely American teleology – promoting the view that atomic monopoly was a both necessary and inevitable part of the post-war international order – the de-emphasis in deterrence discourse of American exceptionalism accordingly allowed for its adversaries (such as the Soviet Union) to be constructed as being on equal terms with it as strategic actors. In the process, the Soviet Union would become subsumed into a universal model of state agency in the nuclear age, and taken as evidence that culture or ideology have little impact on its strategic agency.

Discourse was growingly couched in an assessment of the study of deterrence as being “the theory of interdependent decision”,³⁶³ and hence the assumption – pre-empting the constructivism of scholars like Alexander Wendt³⁶⁴ – that it was impossible to divorce the postures of one nuclear state from the other. This type of discourse also saw the emergence a novel strategic analysis of conflict management guided by the seemingly empirical approaches of game-theory and systems-theory, and analysis based on the assumption that states with nuclear weapons behave according to “the reciprocal fear of surprise attack”,³⁶⁵ a notion so primordial among all entities (much alike an instinct of self-preservation) that to

³⁶¹ Herman Kahn, *Thinking about the Unthinkable*, Exeter: A. Wheaton & Co. Ltd, 1962, p. 35.

³⁶² Booth, *Strategy and Ethnocentrism*, p. 35; Robert Jervis, *Perception and Misperception in International Politics*, Princeton: Princeton University Press, 1976, pp. 343-354.

³⁶³ Thomas C. Schelling, *The Strategy of Conflict*, London: Harvard University Press, 1980, p. 16.

³⁶⁴ Wendt uses the example of Gorbachev cutting Soviet nuclear forces as an instance where the Soviets anticipated certain US policy reactions. Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics”, *International Organization*, Vol. 46, No. 2, Spring 1992, p. 421.

³⁶⁵ Thomas C. Schelling, *The Reciprocal Fear of Surprise Attack*, Santa Monica: RAND Corporation, 1958.

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even consider other motivations, much less intrinsic irrationality stemming from the culture, ideology or religious belief of those in power, would be a distraction for policy-making.

Perhaps the most well-known artefact of this way of thinking about nuclear weapons and the ‘other’ is the doctrine of Mutually Assured Destruction (MAD). Conceived by the mathematician John von Neumann, the concept referred to the capacity of a state to absorb “unacceptable damage” and retaliate in-kind, reducing significantly the incentive for an adversary to use nuclear weapons except in circumstances where its own existence is under threat. MAD not only assumed that leaders in the Soviet Union were rational, but also that increased nuclear weapons proliferation could in fact be a stabilising factor in international affairs.

As previous sections have shown, framing nuclear weapons strategy in such a way was – ontologically, at least – novel. It assumed that the mind-sets and strategic preferences of the US and the Soviet Union derived from calculations based on what was recognised as a mutual necessity of avoiding the extremely high costs of a nuclear exchange, and this preserved international stability. Distancing themselves from the objectification of Russian otherness which had dominated thinking on post-war international relations, it was their theorisation of ‘rationality’ which allowed for the rise in the assumption that states were in the strategic realm ‘like-units’, and that the United States was unexceptional in its conduct.

As this realist model of state interaction became more salient, realism also injected a new perspective of the ‘other’ into strategic-thinking and policy surrounding nuclear weapon: an unremarkable, predictable and risk-averse mirror of the ‘self’ that could be clearly observed especially in a context where any misstep could potentially lead to the complete annihilation of the planet. Such a perspective would, for instance, influence Kenneth Waltz much later as

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he critiqued the tendency of Western analysts to present nuclear proliferation in the 'Third World' as being a significant threat to international stability:

They seem to view their people in the old imperial manner as "lesser breeds without the law."

As ever with ethnocentric views, speculation takes the place of evidence. How do we know that a nuclear-armed and newly hostile Egypt, or a nuclear-armed and still-hostile Syria, would not strike to destroy Israel? Would either do so at the risk of Israeli bombs falling on some of their cities?³⁶⁶

Even prior to Waltz, ideology and culture were of little currency within the regime of truth which governed our understanding how states behave under threat of atomic war or with nuclear weapons. Kahn recognises that "[w]e have no tradition in the United States of controlling our emotions. We have tended to emphasize the opposite notion [...] "Give me liberty or give me death"".³⁶⁷ Similarly, when critiquing the state of national security analysis in the United States written at the time, he cites both "emotionalism" and sentimentality as factors that "only confuse debates".³⁶⁸ Although theorists such as Kahn were certainly not proponents of cultural relativism, the notion that nuclear technology could be maintained as a US monopoly, or that nuclear weapons played a unique role in the teleology of the United States, did not fit their models of state interaction that aspired to the neutrality of the hard sciences.

An 'optimist' view of nuclear weapons, stating that nuclear proliferation was both inevitable and conducive to a more stable international system, and a faith in these weapons to enforce uniformity in strategic doctrines across cultural, ideological or religious divides by appealing to an intrinsic rationality, appealed to those outside of the United States. The English scientist

³⁶⁶ Waltz, "More May be Better", p. 13.

³⁶⁷ Herman Kahn, *On Thermonuclear War*, Westport: Princeton University Press, 1969, p. 33.

³⁶⁸ Kahn, *Thinking about the Unthinkable*, p 37.

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and head of the research & development-oriented British Technical and Scientific Mission, Henry Tizard, explained the deterrent value of a nuclear weapon in 1945 by using the example of duelling in the old European tradition as a way of underlining the deterrent effects of nuclear weapons. In the process, Tizard reinforces the idea of nuclear weapons as utterly transformative, marking a departure from previous historic ways of warfare far more brutal and in many ways irrational.

Duelling was a recognised method of settling quarrels between men of high social standing so long as the duellists stood twenty paces apart and fired at each other with pistols of a primitive type. If the rule had been that they should stand a yard apart with pistols at each other's hearts, we doubt whether it would long have remained a recognised method of settling affairs of honour.³⁶⁹

We can discern some elements of a civilisational paradigm of weapons of warfare in Tizard in the sense that he used the transition from feudal to modern weaponry as a backdrop to illuminate what he sees as a trajectory from more primitive (but more likely to be used) weapons, to weapons capable of inflicting too great a human cost to be even considered. In Tizard's view, this trajectory is a matter of basic self-preservation and rationality, and by the same token applies at the international level. If participants recognise that avoiding escalation is prudent, that the consequences of war with these weapons are too great, and that no war could realistically be 'won', then the weapons are conducive to peace rather than a threat to it. This was, of course, as much a hope as it was a genuinely impartial analysis of the international system or strategic leadership. There is also a more subtle normative dimension to this movement towards strategic automation: namely, the idea that "[civilisations] advance by extending the number of operations which we can perform without thinking about

³⁶⁹ "Future Development in Weapons and Methods of War", CAB 80/94: COS (45)402(0), 16 June 1945. See also Julian Lewis, "Nuclear Disarmament versus Peace in the Twenty-First Century", *International Affairs*, Vol. 82, No. 4, 2006, p. 668.

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them.”³⁷⁰ In this account, national development is inextricably linked with a movement towards strategic homogeneity in which postures like deterrence represent its pinnacle.

In a similar vein as Kahn, Schelling’s work is based around the assumption that just as US postures were determined by signals sent by the Soviet Union, nuclear posturing in the Soviet Union were likewise driven by signals communicated by the US. Schelling’s acceptance of Soviet rationality was as much a defence of proto-constructivist methodology as it was cultural relativism. Today, Schelling’s work is formative of our focus upon whether or not Iran can be counted on to read signals sent by other states that would be sufficient in convincing it not to obtain a nuclear weapon, or use one if it did. In formulating his own theories of nuclear deterrence, this premise of Soviet rationality was a prerequisite for Schelling’s introduction of game-theory and his treatment of nuclear bargaining as a predictive science. Schelling uses a number of examples to underpin the argument that states, like individuals – whether consciously or not – read and emit signals to one another in order to avoid confrontations, zero-sum losses, and ultimately coordinate mutual behavioural patterns more predictably. While Schelling does not entirely discount the potential for ‘irrational’ action in international affairs, he crucially asserts that “the assumption of rational behaviour is a productive one in the generation of systematic theory”,³⁷¹ and therefore conducive to an all-encompassing nuclear strategy. With this newly constructed ‘other’, the premise of mutualism in the definition of strategic postures was conceived as not only preferable, but vital.

Brodie would likewise emphasise the centrality of the logic of mutualism to his own reading of nuclear strategy even at a time when the Soviets had not developed their own arsenal,

³⁷⁰ Alfred North Whitehead, cited in J.A. Bargh and T.L. Chartrand, “The Unbearable Automaticity of Being”, *American Psychologist*, Vol. 54, No. 7, July 1999, p. 464.

³⁷¹ Schelling, *The Strategy of Conflict*, p. 16.

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commenting as early as 1946 that “[t]he first and most vital step in any American security program for the age of atomic bombs is to take measures to guarantee to ourselves in case of attack the possibility of retaliation in kind.”³⁷² Brodie viewed Soviet nuclear proliferation as an inevitability, and therefore entirely predictable. He was joined by Kahn, who theorised a predictable pattern of escalation in the nuclear realm that would correspond neatly to a set number of actions and reactions between two or more participant actors. His analysis was drawn heavily from systems analysis and game theory, and it formed the basis of a framework for understanding, predicting and ultimately modelling conflict and lack thereof in the nuclear age. The predictive capacity of ‘modelling’ exercises was believed to be considerable, as Antoine Bousquet notes: “[m]odels grew to astonishing levels of complexity, fuelled by the desire to create an accurate simulation of conflict, a scientific understanding of a quite literal war machine”.³⁷³

Employing modelling techniques, Kahn took the principle of mutualism a step further by introducing a model of conflict escalation that remains influential analytically. Kahn’s ‘ladder of escalation’, whose rungs ranged from “Ostensible Crisis” (1); through “Harassing Acts of Violence” (8), ““Justifiable” Counterforce Attacks” (19), and “Reciprocal Reprisals” (31); to “Spasm or Insensate War” (44),³⁷⁴ were premised on an assumption that nuclear postures could be built around the communication of intentions through the mobilisation of weapons, troops, and other metrics of material power; and with a precise assessment of the balance of

³⁷² Bernard Brodie, *The Absolute Weapon: Atomic Power and World Order*, New York: Harcourt Brace, 1946, p. 76.

³⁷³ Antoine Bousquet, *The Scientific Way of Warfare: Order and Chaos on the Battlefield of Modernity*, London: Hurst Publishers Ltd, 2009, p. 143.

³⁷⁴ Herman Kahn, *On Escalation: Metaphors and Scenarios*, London: Transaction Publishers, 2009, p. 39, fig. 34.

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power.³⁷⁵ While Kahn's ladder could in reality only be a conceptual exercise (there were no historical precedents to base an empirical analysis upon) the notion that escalation could transpire as intentions would materialise as the very act of a response to another action, it serves as an important precursor to the proliferation paradigm. Its influence can be seen, for instance, in concerns of a domino effect of nuclear proliferation in the Sunni-Arab world once Iran inevitably develops its own nuclear weapons³⁷⁶ – an arms-race considered in terms of automaticity, and in light of the founding realist assumption of 'self-help',³⁷⁷ rather than in light of an appreciation of the distinctive strategic preferences in existence across the Middle East and beyond. We may even find confirmation in this domino theory of Hobson's claim that realism negates 'Eastern' agency in pursuit of an actor-reactor model, wherein "the West is held to be the pioneering agent or subject of world politics while the East is portrayed as a passive object of the diktat of the Western great powers".³⁷⁸ Here, nuclear dominos in the Middle East are believed to fall or remain standing based on the effectiveness of US superpower 'penetration' or 'overlay'³⁷⁹ in the region (and specifically, its ability to alter the course of Iranian behaviour through sanctions or deterrent actions).

As the deterrence parameter consolidated itself in policy – beyond the complex, theoretical abstractions of Schelling and Kahn – politicians and military leaders came to accept the notion that some of the United States' most easterly adversaries were in fact rational actors.

³⁷⁵ The circularity of these priorities has been recognised by critics of realism, who argue that its proponents have never clarified whether power defines military strength or vice versa.

³⁷⁶ See for example Matthew Kroenig, "Time to Attack Iran: Why a Strike is the Least Bad Option", *Foreign Affairs*, January/February 2012, published in *Iran and the Bomb*, accessed at <http://web.archive.org/web/20160414144054/https://www.foreignaffairs.com/articles/middle-east/2012-01-01/time-attack-iran> [Accessed 09.06.16]; Thanos P. Dokos, *Countering the Proliferation of Weapons of Mass Destruction: NATO and EU Options in the Mediterranean and the Middle East*, Oxford: Routledge, 2007, p. 87.

³⁷⁷ Hobbs and Moran, "Looking Beyond a Nuclear-Armed Iran: Is Regional Proliferation Inevitable", p. 129.

³⁷⁸ Hobson, *The Eurocentric Conception of World Politics*, p. 186.

³⁷⁹ For more on these concepts, see Barry Buzan and Ole Wæver, *Regions and Powers: The Structure of International Security*, Cambridge: Cambridge University Press, 2003.

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This meant in analytical terms a greater appreciation that the behaviour of the Soviet ‘other’ was driven not by irrational cultural or ideological factors, but instead an international ‘self-help’ system. It is in this context that policies premised on deterrence as well as coercion, leading (in theory) to a stable equilibrium between the United States and the Soviet Union (“the delicate balance of terror”),³⁸⁰ were imagined. The deterrence parameter hence also defines the realist model of Iran’s nuclear programme through disciplining the debate according to preconceptions about the universal laws of power and international politics which render the Islamic Republic a rational ‘like-unit’ state, ultimately relegating factors such as religion and ideology as being superfluous to what are considered universal and objective roots of insecurity and nuclear proliferation. It is here that the origins of what Carol Cohn labels “technostrategic discourse” lie in the way we study and talk about nuclear weapons today, and an overarching “fondness for abstraction” in discussing Iranians strategic preferences: the modelling of its nuclear trajectory based on assessments of “hardware rather than people”.³⁸¹

Narrating Iran’s Nuclear Intentions through Realism: More Heat than Light

The realist ontology of nuclear weapons and strategy continues to coexist, alongside orientalism, as a dominant point of reference for assessing the direction of Iran’s nuclear programme, and the impact (or non-impact) religion will have on its strategic preferences from within the overarching deterrence parameter. Yet the inability of the realist alternative to offer a model of state agency beyond it reflecting an homogenous ‘rational’ pursuit of security also draw attention to the added benefits of looking elsewhere – beyond both

³⁸⁰ Albert Wohlstetter, “The Delicate Balance of Terror”, *RAND Corporation*, 1958, <http://web.archive.org/web/20160612132705/http://www.rand.org/about/history/wohlstetter/P1472/P1472.html> [Accessed 12.06.16]

³⁸¹ Hugh Gusterson, *Nuclear Rites: A Weapons Laboratory at the End of the Cold War*, Berkeley: University of California Press, 1998, p. 205.

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orientalism and realism, and ultimately the deterrence parameter – for accounts of how religion or culture could impact of Iran’s strategic preferences.

Chapter Two demonstrated the manner with which orientalist perspectives of Islam as an irrational basis for strategic preferences (and consequently, Iran as an irrational actor) are drawn upon in arguments for why Iran seeks to obtain and use a nuclear weapon. In these narratives, Iran’s strategic preferences are defined by what is presented as an Islamic ‘essence’ and not *realpolitik*. At first glance a realist refutation against claims like these would appear to widen our conception of strategic preferences in the Iranian ‘other’; certainly beyond ontological orientalism (i.e. specific normative claims about Islam and Iran which attain the status of objective truth). A parallel can be found in how the discourse of the defence intellectuals widened our understanding of the origins of Soviet strategic preferences in the 1950s and 60s beyond the predominant social construction of its culture and ideology.

Yet even in accounts where Iran is portrayed as a ‘rational actor’, our conceptualisation of Iran’s own strategic preferences remains remarkably narrow; driven by the ethnocentric, universalising tendencies of an episteme which permits the modelling of ‘rational’ strategic agency in Iran on the Western ‘self’, and in the process, precludes Iranian strategic agency from being defined on its own terms. What warrants critique here concerning the realist framework is not the idea that Iran can be dissuaded from obtaining or using nuclear weapons, but rather the notions that Iran will seek them in the first place, and that its nuclear trajectory can be forecasted – and altered – though subsuming Iran into a uniform model of how strategic preferences develop in the nuclear age. There is indeed an anthropomorphic aspect to this process of constructing Iran’s strategic preferences to nuclear weapons, as far as – if we are to borrow from Anne Norton’s study of political identity –

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[I]k mindedness is coextensive with a likeness of physiological constitution; that all men, insofar as they have the same bodies, have the same capacity for reason, the same emotions, the same desires. This conviction [...] denies the role of politics and language in the constitution of the mind.³⁸²

Realist narratives of the origins and direction of Iranian strategic preferences therefore offer a glimpse into another dimension of how the study of Iran is disciplined according to the narrow secularism of the deterrence parameter. Rarely departing from the central logic contained in the literatures surveyed in Chapter Two, the counter-narrative's assertion that Iran is a rational actor coincides with an assessment that religion is unlikely to influence its nuclear policies given the realist dictum that it does not influence nuclear policies in other states. The underlying logic of this approach proceeds that if the United States were in the same geo-strategic circumstances as Iran, they would also seek nuclear weapons.³⁸³ Islam is therefore a largely irrelevant source for Iranian strategic preferences. Iranian proliferation aims – in line with Pelopidas' proliferation paradigm³⁸⁴ – can be understood, anticipated and even prevented so long as religion and the religious scholars are conceived as being at the very most bit-part players in a prudent game of power-politics among nations.

The greater the religious zealotry within Iran's leadership [...] the greater might be the propensity to brandish nuclear weapons on behalf of an [aggressive Iran]. Conversely, if

³⁸² Anne Norton, *Reflections on Political Identity*, Baltimore: John Hopkins University Press, 1988, p. 42.

³⁸³ See comments by Andrew Fiala, *Against Religion, Wars, and States: The Case for Enlightenment Atheism, Just War Pacifism, and Liberal-Democratic Anarchism*, Plymouth: Rowman & Littlefield Publishers, 2013, p. 177; Mehdi Hasan, "If You Lived in Iran, Wouldn't You Want the Nuclear Bomb?", the *Guardian*, Comment is Free, 17 November 2011, <http://web.archive.org/web/20160417133429/http://www.theguardian.com/commentisfree/2011/nov/17/iran-want-nuclear-bomb> [Accessed 09.06.16]; Sima Baidya, "Probing Smart Power Paradigm in US-Iran Relations", in M. Saleem Kidwai (ed.), *US Policy Towards the Muslim World: Focus on Post 9/11 Period*, Plymouth: University Press of America, 2010, p. 183.

³⁸⁴ Pelopidas, "The Oracles of Proliferation".

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religious motivations were not in the forefront of Iran's nuclear development, the greater the likelihood that nuclear weapons would play a defensive-deterrent role.³⁸⁵

Substantive attention is not paid in mainstream discourse, for example, to arguments from Iranians that Iran's leadership – or even conservative clerics – might neither link nuclear weapons to security, nor accept their deterrent value. Western analysts on many occasions tend to speak on behalf of Iran's clerics, for instance, when linking nuclear weapons with national prestige and independence:

political leaders like Khamene'i and Rafsanjani see nuclear weapons as an almost magical source of national power and autonomy. These men are political clerics, not international strategists or technologists. They intuit that the bomb will keep all outside powers [...] from thinking they can dictate to Iran or invade it.³⁸⁶

Although realism therefore offers an opportunity to depart from the premise of irrationality in assessing Iran's nuclear programme, it is equally the case that it may simplify strategic thinking in Iran – and in particular, the ideas and agency of its *ulama* – to such an extent that all its actions become “cloaked in ideology [...] driven by self-preservation”³⁸⁷. For example, when Trita Parsi claims that Iran's Islamic revolutionary ideology “veiled a fairly consistent pursuit of realpolitik”³⁸⁸ during the Iran-Iraq war, he provides insight not for how Iran's leadership view their own actions but rather his assessment of the ephemeral characteristics of Iranian foreign policy actions. This realist perspective demands that strategic preferences

³⁸⁵ Davis and Pfaltzgraff, *Anticipating a Nuclear Iran*, p. 59.

³⁸⁶ George Perkovich, *Dealing with Iran's Nuclear Challenge*, Carnegie Endowment for International Peace, 28 April 2003, p. 4.

³⁸⁷ Karim Sadjadpour, “The Risk of Premature Sanctions” [Congressional Testimony, House Foreign Affairs Subcommittee on the Middle East and Northern Africa], *Carnegie Endowment for International Peace*, 20 November 2014, p. 2.

³⁸⁸ Trita Parsi, *Treacherous Alliance: The Secret Dealings of Israel, Iran, and the United States*, New Haven: Yale University Press, 2007, p. 3.

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in the Islamic Republic are not considered on their own terms, but rather with reference to universalised definitions of ‘rationality’ conceived in Anglo-American-European traditions of strategic thinking. This has the effect of obfuscating some of the more mystical and normative dimensions of pronouncements concerning nuclear weapons and war doctrines (such as those detailed in Chapter One), and ultimately how Iran’s strategic preferences can potentially change if religion does play a role (albeit however functional) in legitimising them. Likewise, when Kenneth Waltz argues that ‘more would be better’ with reference to the Islamic Republic and its potential acquisition of nuclear weapons,³⁸⁹ his assessment relies on the assumption that Iran bases its policies solely upon economic calculations of its sensitivity to costs. Waltz therefore rejects the premise that ‘unit-level’ normative factors determine its behaviour at the international level.³⁹⁰ “Iranian policy is made not by “mad mullahs” but by perfectly sane ayatollahs who want to survive just like any other leaders”.³⁹¹ Kingston Reif, Director for Disarmament and Threat Reduction policy at the Arms Control Association, rightly dismisses the claim that Iran is ‘undeterrable’ as being founded upon “conjecture rather than fact”.³⁹² Yet in continuing to state that “Iranian foreign policy, since the Islamic Revolution has been guided by the principles of *realpolitik*, not millenarian fanaticism”,³⁹³ Reif denotes the prevailing lens for viewing Iran’s actions between being inspired by inevitably irrational religious impulses, or by realism. It can also be said, particularly in light of previous narratives studied concerning the linear progression towards ‘mutual’ policy-formation between states, that the recent acceptance of Iran’s rationality in

³⁸⁹ Waltz, “Why Iran Should Get the Bomb”.

³⁹⁰ Ibid.

³⁹¹ Ibid, p. 4.

³⁹² Kingston Reif, “Iran Can Be Deterred”, the *Washington Times*, 10 July 2008. Republished by the Arms Control Center, 10 July 2008, <http://web.archive.org/web/20160413140129/http://armscontrolcenter.org/iran-can-be-deterred/> [Accessed 11.06.16]

³⁹³ Ibid.

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analysis of its nuclear programme highlights more unspoken inquiries over the extent to which Iran can be considered a ‘civilised’ member of the international community, rather than a rogue Islamist state. As Chair of the UK Defense Select Committee, Julian Lewis told the UK House of Commons in November 2015, “I look at Iran and say to myself: “Here is a prime candidate for containment””.³⁹⁴ His logic is telling: for Lewis, whether or not Iran can be ‘contained’ from developing and using nuclear weapons would be an accurate barometer of its civility:

[w]hen I look at these different societies, I ask myself which are the most likely, if we can contain them, or keep the lid on them, to develop and evolve – just as our own society, over 500 years or more, developed and evolved – in a modernising direction. I think that Iran is a strong candidate for a society which, if contained and prevented from doing something too terrible, has the prospect of [coming] back into the comity of nations [...]³⁹⁵

Within a more functionalist iteration of this realist lens, religious discourse, structures of authority and narratives are accepted as important components of foreign policy formation in Iran, but only in their appropriation, manipulation or utilisation by ‘rational’ policy actors seeking to legitimise certain (predetermined) political or military courses of action. Here, even as religion is accepted as playing some role in defining Iran’s nuclear policies, it is conceived as being a cover for more basic motivations common to all states and leaderships existing within an anarchical international system. In one example, Mehdi Khalaji provides an avenue for opening up this discussion through accounting for *maslahah* in the Islamic

³⁹⁴ Julian Lewis, “The Iran Nuclear Deal”, 24 November 2015,

<http://web.archive.org/web/20160320164936/http://www.julianlewis.net/commons-speeches/4091:the-iran-nuclear-deal> [Accessed 09.06.16]

³⁹⁵ Ibid.

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Republic of Iran's decision-making process concerning nuclear weapons,³⁹⁶ but his analysis represents a tendency towards distilling relevant *fatawa* and opinions in order for religious discourse to fit within the epistemic boundaries of realism, rather than being read on its own terms, and conflates *maslahah* with *raison d'état*.³⁹⁷ This gives the impression that the roots of Iranian pragmatism and expediency must lie narrowly in Anglo-European or North American traditions of realism, negating the possibility that they originate in unique epistemic parameters set by competing Islamic theologies (beyond orientalist essentialism).

Others have accepted religious structures of authority as an important variable in whether or not Iran will follow a more aggressive nuclear path, but in the process relied upon an artificial scale of agency between 'radical' or 'hard-line' and 'moderate' clerics. Ray Takeyh claims that from 1993-2003 Iran "evolved [...] into a largely circumspect and cautious regional power whose strategic doctrine is predicated on preserving its independence and safeguarding its vital interests", and attributes this transformation to the rise to power of Mohammad Khatami as a "moderate cleric".³⁹⁸ The implication in Takeyh's analysis is that Iran's nuclear trajectory will be determined by a perpetual conflict inside the country between Muslim 'hardliners' predisposed to conflict and proliferation, and Muslim 'moderates' who, embracing *realpolitik*, will be more open to reconciliation and non-proliferation if they are convinced it is in their interests. Again, what is not at task is the assumption that clerics are open to pragmatic calculations based on cost and benefit, but instead the notion that more

³⁹⁶ Mehdi Khalaji, "Shi'ite Jurisprudence, Political Expediency, and Nuclear Weapons", in Michael Eisenstadt and Mehdi Khalaji, "Nuclear Fatwa: Religion and Politics in Iran's Proliferation Strategy", *Washington Institute for Near East Policy*, Policy Focus # 115, 2011.

³⁹⁷ Ibid, p. 24.

³⁹⁸ Ray Takeyh, "Iran's Nuclear Calculations", *World Policy Journal*, Vol. 20, No. 2, Summer 2003, pp. 21-22.

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conservative or ‘radical’ clerics would by definition not engage in these types of calculations themselves.³⁹⁹

In the context of negotiations between the West and Iran over its nuclear programme, analysts – deploying a comparable scale of religious agency – have even proposed a dichotomy between the ‘paths’ of Imam Hassan and Imam Hussein in analysing the departure in from Iranian nuclear policy-making under Ahmadinejad – characterised as confrontational and ideological – to the conciliatory style and breakthroughs of the Rouhani administration.⁴⁰⁰ Laurence Louër believes these two paths to be contradictory given that while the former opted for a peace treaty with Muawiyah I and ultimately coexistence rather than militant resistance, the latter chose armed struggle and revolution.⁴⁰¹ Former British Ambassador to Iran Sir Richard Dalton believes the path of current Iranian President Rouhani to be inspired by the second rather than third Shi’i Imam:

³⁹⁹ More broadly speaking in relation to this distinction between clerics, Edward Said notes in *Covering Islam* the shifting portrayal of Abdolhassan Bani-Sadr from that of a radical to “a person we could have dealt with had [Mohammad] Beheshti not been there”, despite Bani-Sadr having been ignored after 1979 due to his close association with the Revolution (pp. 100-101).

⁴⁰⁰ See Seyedamir Hossein Mahdavi, “A Comprehensive Nuclear Deal with Iran: Not Mission Impossible”, *Middle East Brief*, No. 85, Crown Center for Middle East Studies [Brandeis University], 2014, p. 4; Mohamad Bazzi, “How a 7th Century Cleric Led to the Iran Deal”, *Politico*, 14 July 2015, “How a 7th Century Cleric Led to the Iran Deal”, *Politico*, 14 July 2015, <http://web.archive.org/web/20160125141734/http://www.politico.com/magazine/story/2015/07/how-a-seventh-century-cleric-led-to-the-iran-deal-120100> [Accessed 08.06.16]; Mohammad Bazzi, “An Ancient Imam at the Center of Iran Nuclear Deal”, *Reuters*, 13 April 2015, <http://web.archive.org/web/20160617101631/http://blogs.reuters.com/great-debate/2015/04/12/an-ancient-imam-at-the-center-of-iran-nuclear-deal/> [Accessed 17.06.16]; Najmeh Bozorgmehr, “Words of Seventh-Century Imam Signal Iran’s Change of Approach”, *Financial Times*, 23 September 2013, <http://www.ft.com/cms/s/0/58ff344a-2434-11e3-8905-00144feab7de.html#axzz3yGYfIypG> [Accessed 25/01/16]

⁴⁰¹ Laurence Louër [Tr. John King], *Shiism and Politics in the Middle East*, London: C. Hurst & Co., 2012, p. 12.

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[w]hether or not there is a comprehensive deal will not upend Iran's internal structure or its economic relations with the outside world. But the Imam Hasan route, under President Rouhani, can mean that the symptoms of decline can gradually be eliminated.⁴⁰²

Parallel conclusions were drawn from the Supreme Leader's comment during a speech delivered to IRGC command in 2013 that Iran would adopt a position of 'heroic flexibility' (*narmesh-e qahramaneh*) in negotiations with the West over its nuclear programme.⁴⁰³ In the words of one journalist, "Khamenei can claim to have emulated Imam Hassan's path of compromise. He's chosen pragmatic politics over revolutionary ideals as his legacy".⁴⁰⁴ As perhaps best encapsulated by a proclamation heading a dispatch from the *Guardian's* Tehran Bureau, "[h]ello diplomacy, so long martyrdom"⁴⁰⁵ became a common conclusion drawn from Khamenei's speech, implying a pragmatic reassessment of Iran's policy options under the heavy weight of nuclear-related sanctions at the expense of revolutionary-religious dogma.

Such depictions overstate the functional 'purpose' of narratives and discourse in Iran's nuclear trajectory, and obscure the broader picture of how Iranian leaders might narrate the decisions they make with regards to the nuclear programme to themselves and Muslim constituents inside the country. First, while these narratives could very well legitimise a wide range of different policies or political stances, to imply that clerics could be forced to choose between the two as being distinct paths offers the paradox that Iran's *ulama* derogate the

⁴⁰² Gareth Smyth, "For Iran, the path of Hasan or Hussein?", *The Daily Star*, 24 November 2014, <http://web.archive.org/web/20150516115721/http://www.dailystar.com.lb/Opinion/Commentary/2014/Nov-24/278665-for-iran-the-path-of-hasan-or-hussein.ashx> [Accessed 11.06.16]

⁴⁰³ See Seyedamir Hossein Mahdavi, "A Comprehensive Nuclear Deal with Iran: Not Mission Impossible", p. 4.

⁴⁰⁴ Bazzi, "How a 7th Century Cleric Led to the Iran Deal".

⁴⁰⁵ Tehran Bureau, "Iran: Hello Diplomacy, So Long Martyrdom", the *Guardian*, 21 September 2013, <http://web.archive.org/web/20160320164852/http://www.theguardian.com/world/iran-blog/2013/sep/21/iran-heroic-flexibility-diplomacy-martyrdom> [Accessed 17.06.16]

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founding principle of Twelver-Shi'ism while at the same time use it as a tool in support of certain policy outcomes. Orthodox Twelver Shi'i belief tends to consider the Imamate as a whole – referred to collectively as the *masoomin* – rather than in its constituent parts, with each Imam considered equally infallible to another in their judgement and deeds.⁴⁰⁶ Referring to the examples of the Fourth, Fifth and Sixth Imams, Golpayegani writes that "their non-armed policies were more effective than armed uprising in elevating the name of Islam, guarding the truth, and protecting the shari'at [path] in their time", but makes this statement contingent on the assumption that it is the duty of the Imam and only the Imam to discern the correct path.⁴⁰⁷ In the event of a shift away from conflict to rapprochement, it would be unlikely that Iran's *ulama* would explicitly champion the theology represented by one Imam at the expense of another. In the same vein, to suggest that Iran switch from the 'resistance' narrative of Imam Hussein to the 'patience' narrative of Imam Hassan points to how our contemporary reading of Islamic belief and ideology in Iran is influenced by the prevailing either/or logic at the heart of the deterrence parameter. Here, we continue to define and categorise behaviour which might have their roots in Islamic beliefs according to biases, norms and values determined within a Eurocentric episteme. Either Iran commits to what is constructed as the otherworldly, revolutionary and ideological path of Hussein, or the pragmatic path of Hassan. Again, Shi'i theologians do not rigidly distinguish between the approaches of these two figures, and instead view them as being intertwined and as much in esotericism as they were prudent leadership and recognition that different circumstances demanded required different responses. Indeed, the notion that there could be friction between the foreign policies of two or more Imams would negate much of traditional Shi'i

⁴⁰⁶ Matthew Pierce, *Twelve Infallible Men: The Imams and the Making of Shi'ism*, Cambridge (MA): Harvard University Press, 2016, p. 103.

⁴⁰⁷ Lotfollah Safi Golpayegani (Tr. Sayyid Sulayman Ali Hasan), *Discussions Concerning Al Mahdi*, Ontario: Islamic Humanitarian Service, 2000, p. 23.

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belief in infallibility and divine guidance.⁴⁰⁸ In the context of clerical opinion as it guides Iranian security policy, the *nezam* scholars are likely to view the different approaches to these scenarios in a much more mystical light than the realist lens applied by the former UK Ambassador.

This is not to say that there is no individual agency or ‘entrepreneurship’ in deciding which elements of religious discourses and narratives are applicable to strategic preference-making. As has been pointed out by scholars, Iran’s leadership has in the past justified certain courses of policy action with reference to narratives of Imam Hussein and Karbala. Casting Saddam Hussein in the role of Yazid I, Khomeini had little trouble convincing Iranians – whether his own military ranks, or the population at large – of the contemporary resonance of Imam Hussein and his martyrdom in Karbala as Iran defended its territory against an Iraqi military invasion.⁴⁰⁹ Iranians have even utilised religious narrative and discourse as a way of resisting the Islamic Republic. In 2009, cries by protestors of “ya Hussein, Mir Hussein” fused the traditional motif of Imam Hussein’s sacrifice with the Green movement’s contestation of election results as they mobilised against the government.⁴¹⁰ What is at task, rather, is the propensity for experts to speak for Iran’s *ulama* and design the parameters for which ‘Islamic’

⁴⁰⁸ As examples of this orthodoxy, there are works which explore the parallel issue of the Imams being by definition infallible. Indeed, the Shi’a often refer to the Imams (along with the Prophet and his daughter Fatima) equally as the *masoomin* (infallibles). This characteristic of the Imamate, in the eyes of the Shi’a, entails a belief that there can by definition be no esoteric contradiction between the paths of any of the Imams despite outside appearances of divergence (such as between the quietism of Imam Hassan, and the revolt of Imam Hussein). Any outward contradiction would, in effect, be a consequence of our own inability as believers (or analysts) to discern a more mystical ‘hidden’ dimension to the actions of the Imams. See Abdulaziz Abdulhussein Sachedina, *Islamic Messianism: The Idea of the Mahdi in Twelver Shi’ism*, New York: State University of New York Press, 1981, p. 137.

⁴⁰⁹ Ali Mozaffari, *Forming National Identity in Iran: The Idea of Homeland Derived from Ancient Persian and Islamic Imaginations of Place*, London: I.B. Tauris, 2014, pp. 87-88.

⁴¹⁰ Majid Sharifi, *Imagining Iran: The Tragedy of Subaltern Nationalism*, Plymouth: Lexington Books, 2013, p. 306.

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pragmatism is situated. Those familiar with Khamenei's background as a religious scholar, and in particular his translation of a 1970 book by Radhi al-Yaseen entitled *The Peace of Imam Hassan (Solh al-Imam al-Hassan)* – which in Farsi bears the subtitle 'the Most Glorious Heroic Flexibility of History' – could read the Supreme Leader's remark without reverting to the either-or logic inscribed in ethnocentric readings of strategy in Iran.⁴¹¹ Some saw no massive departure in Iran's position, or the notion that the Islamic Republic could pursue diplomatic pragmatism without abandoning its revolutionary strategic culture: "A wrestler sometimes shows flexibility for technical reasons. But he does not forget about his opponent or about his main objective."⁴¹² Akbar Ganji, for instance, writes that:

[t]here are some things that Khamenei thinks an "Islamic civilization" simply cannot compromise on, including the pursuit of independent technological progress, the division of gender roles in social life, and a commitment to public piety as a means of national solidarity. [...] But within those parameters, pragmatic compromise is always a possibility. Indeed, Khamenei believes that adjusting to new circumstances is an obligation for Islamic civilization if it hopes to survive.⁴¹³

Islamic scholars themselves view pragmatism within the parameters of both Imams Hassan and Hussein,⁴¹⁴ highlighting a less dichotomous vision of realism and revolution within the

⁴¹¹ See Ataollah Mohajerani, "Opinion: Iran's Heroic Flexibility", *Asharq al-Awsat*, 24 September 2013, <http://web.archive.org/web/20150516120002/http://www.aawsat.net/2013/09/article55317730> [Accessed 09.06.16]

⁴¹² Mohammad Davari, "Khamenei Touts 'Flexibility' in Iran 'Wrestle' with World Powers", *Middle East Online*, 17 July 2013, <http://web.archive.org/web/20160429151950/http://www.middle-east-online.com/english/?id=61426> [Accessed 08.06.16]

⁴¹³ Akbar Ganji, "Frenemies Forever: The Real Meaning of Iran's "Heroic Flexibility"", *Foreign Affairs*, 24 September 2013, <http://web.archive.org/web/20150730124341/https://www.foreignaffairs.com/articles/middle-east/2013-09-24/frenemies-forever> [Accessed 09.06.16]

⁴¹⁴ See for instance the opinions of Seyed Muhammad Hussein Fadl'Allah, "Al Hussein's (a.s.) Revolution An Extension of the Immigration (Hijra) of the Messenger (p.)", *Official Website of Ayatollah Mohammad Hussein Fadl'Allah*, 2 January 2009,

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Islamic traditions. One may even discern more mutualistic logic at the heart of this kind of Islamic strategic preference-making: namely, the formulation of policy in anticipation that the ‘other’ will conform to established patterns of behaviour. In this regard, one narrative of Imam Hassan’s peace treaty in particular holds resonance for Khamenei’s position today:

Al-Hasan responded to Mu'awiya's request for making peace. However, he made him bind himself by conditions which he would break one by one. So if Mu'awiya did that, the people would declare their wrath and protest against him. Thus peacemaking [sic] was the beginning of the wrath that has lasted for generations. Also this wrath was the beginning of the revolutions that happened successively to remove that usurping regime from history.⁴¹⁵

Equally in the case of *taqiyyah*, *ketman* and *ta'arof*, the objection here is thus not that these concepts ‘exist’ and are employed by Iran’s leadership, but that their functionality within dominant discourse is an outcome of epistemic as well as ontological orientalism. These concepts are either othered as being distinctly non-Western (see Chapter Two), or subsumed into (hegemonic) Western definitions of pragmatism and expediency. Frequently when analysts employ Islamic terminology, they do not intend for their arguments to come up against Islamic legal-theoretical scrutiny, or the critique of historians. Rather, there is an expectation that Western audiences will subsume these concepts into a pre-existing body of knowledge about the ‘Orient’, and a narrow Eurocentric paradigm for understanding nuclear weapons proliferation and deterrence. They are useful only as far as they can reinforce and

http://web.archive.org/web/20160125145352/http://english.bayynat.org.lb/Lectures/Lecture_02012009.htm [Accessed 11.06.16]; Ruhollah Khomeini, “The Incompatibility of Monarchy with Islam”, in Abdar Rahman Koya (ed.), *Imam Khomeini: Life, Thought and Legacy: Essays from an Islamic Movement Perspective*, Selangor: Islamic Book Trust & Crescent International, 2009, p. 155.

⁴¹⁵ Shaykh Radi Aal-Yasin [Tr. Jasim al-Rasheed], *Sulh al-Hasan* [English: The Peace Treaty of Hasan], Ansariyan Publications, Qom: Iran, 2008. Republished by *al-Islam*: <http://web.archive.org/web/20160125151452/http://www.al-islam.org/sulh-peace-treaty-imam-al-hasan-shaykh-radi-aal-yasin/motives-two-parties-making-peace> [Accessed 12.06.16]

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ultimately naturalise existing perceptions of why states seek nuclear weapons, and what factors can prevent states from using them. Moreover, both processes rely upon the silence of the 'other' in allowing Islamic concepts to retain some relevance in the nuclear debate.

This more rationalist paradigm for understanding Iran's strategic preferences has not gone completely un-questioned. Homeira Moshirzadeh has disputed the adequacy of relying completely upon a 'rationalist' or realist account of Iran's nuclear programme. He argues that discourses concerning independence and justice – distinct from realist or liberal motivations of power or wealth-creation – are the main drivers of Iran's pursuit of nuclear technology. “[A]n actor's ‘rationality’ is shaped within discursive structures [...] ‘cognition’ is not just a mental condition independent of discourses.”⁴¹⁶ In other words, a state's assessment of its security policy is contingent on a preceding narrative. Material factors reinforce, rather than precede, these discourses. Adib-Moghaddam develops a similar framework for understanding Iranian strategic preferences more thoroughly in his definition of Iran's foreign policy culture. He concurs that to characterise Iran's own foreign policies as pragmatic or realist is inadequate, and instead prefers to focus on the

utopian-romantic ideals formulated during the revolutionary years, and institutionalized as central narratives of the Islamic Republic, constitute the contemporary grand strategic preferences of the Iranian state.⁴¹⁷

Utopian ideals, not merely ‘systemic factors’ as Waltz defines, nor any essentialised religious or cultural doctrines, have their own particular impact on Iran's vision of what it can and should accomplish using nuclear technology.⁴¹⁸

⁴¹⁶ Homeira Moshirzadeh, “Discursive Foundations of Iran's Nuclear Policy”, *Security Dialogue*, Vol. 38, No. 4, December 2007, p. 523

⁴¹⁷ Arshin Adib-Moghaddam, “Islamic Utopian Romanticism and the Foreign Policy Culture of Iran”, *Critique: Critical Middle Eastern Studies*, Vol. 14, No. 3, Fall 2005, p. 267.

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Although the either/or tendency of realism reinforces the strength of the deterrence parameter, it can also serve to demarcate between the rule and its exceptions. Edward Said explores this point in general terms through reading Henry Kissinger, who divides the world into 'cultures' that have come to terms with separating the subjective self from the objective material world, and those that have not.⁴¹⁹ The logic proceeds as follows that:

[c]ultures which escaped the early impact of Newtonian thinking have retained the essentially pre-Newtonian view that the real world is almost completely internal to the observer [...] empirical reality has a much different significance for many of the new countries than for the West because in a certain sense they never went through the process of discovering it.⁴²⁰

According to such views, culture does have an impact upon international affairs as far as it defines the states and states people willing to put aside normative biases and utopian impulses in favour of addressing the world as it is. Again, this logic has its resonance in the context of Iran's nuclear programme today. Iranian leaders, many of whom are clerics but also politicians and policy-makers, cannot be adequately confined to Newtonian or pre-Newtonian categories identified by Kissinger, and are therefore drawn upon by proponents of both sides of the debate in a way that reinforces Western analysis on the subject as hegemonic, and nuances found elsewhere to be irrelevant. Either Iran's leaders are irrational and fanatical, or they are cold and calculating. In both cases, the deterrence parameter remains the hegemonic lens for viewing Iran's nuclear trajectory, and continues to set the terms of the debate over its nuclear programme.

⁴¹⁸ See Adib-Moghaddam, *Iran in World Politics*, pp.75-77

⁴¹⁹ Said, *Orientalism*, pp. 46-47.

⁴²⁰ Henry Kissinger, *American Foreign Policy*, New York: W.W. Norton & Co., 1974, pp. 48-49.

Conclusion

The transition from US nuclear policy from 1945-49 to that of subsequent decades provides evidence in support of Ken Booth's claim that ethnocentrism "can distort important aspects of strategic thinking, especially where problems of perception and prediction are involved".⁴²¹ Nuclear weapon strategies were and continue to be a framework within which narratives of the self and the 'other' are fashioned and refashioned. When identity is recognised as a constitutive process, reliant upon both an object ('them', 'other') as well as subject ('us', the United States), how the Soviet Union – or Iran – is represented in policy discourse as the 'other' is crucial. "To hold an identity" writes Robert Jervis "is to set a boundary, to separate Self from Others, to exclude as well as include",⁴²² and for this reason any faith in the ability of experts or policy-makers to benignly interpret material indicators of security and insecurity in order to determine the strategic preferences of themselves and others – *outside* of specific epistemological boundaries – is misplaced. Nuclear strategy as theory and practise has since the early atomic age been dependent on social-construction, and this has been observed in this and the preceding chapter in the context of Iran. From the perspective of policy analysts, and a notable segment of academia also, the Islamic Republic's identity – like that of the Soviet Union – only makes sense as an irrational 'other', or a 'like unit'. This mirrors Said's observation that "rhetorics of general cultural or civilizational specificity" adopt either a utopian narrative emphasising integration and the "harmony between all peoples", or the opposing clash of civilisations narrative.⁴²³ In the process, analysis loses sight of specificity as it is defined within the cultures and countries that are studied, and our own narrative of

⁴²¹ Booth, *Strategy and Ethnocentrism*, p. 17.

⁴²² Robert Jervis, "Identity and the Cold War", in Melvyn P. Leffler & Odd Arne Westad (eds.), *The Cambridge History of the Cold War*, Cambridge: Cambridge University Press, 2010, p.27.

⁴²³ Said, "The Clash of Definitions", p. 74.

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strategic agency in states like Iran – or the Soviet Union – hinge on Eurocentric definitions of the ‘other’.

Given the limited explanatory potential of either approach to understanding Iran’s strategic preferences, a more critical approach is necessary. Today, a more critical approach could help us look for alternative possibilities for how religion can impact Iran’s strategic preferences towards nuclear weapons beyond both orientalism and realism, and reject its current status as being merely an independent variable within Eurocentric models of nuclear proliferation. This approach would require that we abandon the notion that a wholly material assessment of a state’s nuclear intentions is possible, and that reading, predicting or designing strategic postures can ever be quantitative exercises independent of discourse.

We have found in this chapter a clear propensity in varied literatures towards ignoring unique epistemic constraints for what can be legitimised as a strategic policy decision, and the popular representation of an underlying ‘realist’ normative approach to understanding international relations as if it were a natural basis for the state’s strategic preferences. Within realism, religion can only be reduced to what Amr Sabet calls “sociological and cultural epiphenomena”, and we as a result ignore its “distinct claims to validity and its internal communicative meanings”.⁴²⁴

There has been an overwhelming preference towards viewing the Islamic Republic’s nuclear programme today within the narrow confines of the deterrence parameter. As such, we know very little – beyond our own ethnocentric discourses and narratives – about what Islamic Republic’s strategic preferences could be, or where they might emerge from, if Iran’s decision-makers are assumed to be influenced by religious beliefs. Herein lies the problem with merely situating Iran as an object within the deterrence parameter: it is only through

⁴²⁴ Sabet, *Islam and the Political*, p. 159.

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characterising the Islamic Republic as an undeterrable ‘other’, or a like-unit, that its nuclear options are assessed. Realism, by negating ‘otherness’ in the pursuit of assessing universal ‘like-units’, and in perpetuating the notion that material factors compel states to predictably enact policies designed to secure state survival and power, by definition skews our analysis of the unique motivations of individual states – ignoring specific narratives and discourses that a positivist account would most likely consider ‘first image’ factors and therefore irrelevant. The social-construction of its strategic preferences, which could potentially have a religious and Islamic legal-theoretical dimension to them, is also dismissed in this account as irrelevant. This renders the dominant approaches to assessing Iran’s nuclear programme as incapable of providing a qualitative case that Iran seeks nuclear weapons beyond the normative claims that it is irrational, or unexceptionally ‘like us’ in its conduct of international affairs.

If we are to take a lesson from the US-Soviet case study, it is that investigating Iran’s own unique narratives as an Islamic Republic on their own terms, and the multitude of ways that these narratives can potentially influence its strategic preferences towards nuclear issues, will allow far greater insight into the origin of Iranian nuclear policies – and where they could head in the future – than realism. Recognition that identity has always played and continues to play a crucial role in determining policy shifts and nuclear strategy challenges the assumption that nuclear proliferation or strategic decision making among states can be predicted as a strictly empirical affair, contingent on the analyst’s mere recognition of certain material interests to obtain a bomb stemming from ‘hard security’ threats and vulnerabilities in what is considered an anarchic international system. In short, a better informed analysis of Iran’s nuclear programme could rest on taking its revolutionary slogan of independence from both Cold-War blocs – ‘*na sharghi, na gharbi*’ (neither east, nor west) – far more seriously.

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As will be observed in chapters Four and Five, Islamic discourses related to *jihad* and weapons capable of mass destruction are far less rigid than commonly assumed. Islamic laws of war are consequently more amenable to the notion of ‘pragmatism’ than caricatures would suggest, but there remain specific conditions that have to be met in order for laws to change, or ‘states of exceptions’ to emerge. Specifically, epistemological boundaries for what are conceived as ‘Islamic’ policies are perfectly capable of situating legal discourse which can address certain extraordinary believed to be necessary to safeguard an Islamic ‘state’ than ethnocentric or essentialist approaches permit. As such, far from being irrelevant, religion can play a central role in defining and moderating Iran’s strategic preferences towards nuclear weapons and other WMD.

Chapter Four: Weapons, Tactics and Strategies of Mass Destruction within an Islamic Framework for Analysis

‘Ali related that Allah’s Messenger had an Arab bow in his hand and, on seeing another with a Persian bow in his hand, said, “What is this? Throw it away. Stay with these and the like, and with spears with shafts, for Allah will help you to support the religion with them and establish you in the land.

– Hadith narrated by Ibn Majah⁴²⁵

Introduction

The previous two chapters have established that discourse and narrative are far more salient in the process of threat assessment (and more precisely, projections of the trajectory of Iran’s nuclear programme) than debates about nuclear strategy and proliferation within the deterrence parameter suggest. It is difficult to ascertain the impact of today’s *fatawa* concerning nuclear weapons upon Iran’s strategic preferences beyond more or less fixed ontologies: orientalism, or realism. That these ontological definitions are shaped within epistemic parameters that fixate on whether or not Iran can be considered a ‘rational’ actor, the discussion over Iran’s nuclear programme – and the role that religion places in defining its policies more generally – cannot be considered an empirical affair.

Most importantly in the context of this thesis, the nuclear discussion has not sufficiently engaged with the possibility that religion could impact Iran’s strategic preferences concerning nuclear weapons in a way that a) gives the *ulama* themselves a voice, or b) considers the

⁴²⁵ Waliy al-Din al-Tabrizi (Tr. James Robson), *Mishkat al Masabih Vol. III*, Lahore: Muhammad Ashraf, 1963, p. 825. Also cited in Abdul Hamid Abu Sulayman, *Towards an Islamic Theory of International Relations: New Directions for Islamic Methodology and Thought*, Herndon: International Institute of Islamic Thought, 1993, p. 76.

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depth and nuances of Muslim thinking on weapons capable of mass destruction and strategy independent of Western concepts. It is this specific failure of orthodox theories concerning nuclear deterrence and proliferation which calls for a new approach for understanding normative Islamic influences on Iranian behaviour beyond those identified in both orientalist and realist accounts; accounts that we have seen reveal more about the ‘self’ than they do the ‘other’.

This chapter will introduce an alternative theoretical foundation for analysing Iran’s strategic preferences concerning nuclear weapons today. The analytical framework designed in this chapter attempts to overcome the trappings of such an approach – and the functionalist lens for understanding religion associated with realism – by using Qur’anic ontology as the starting point for understanding the conceptualisation of security and defence within Iran today from a perspective closer to that of the *ulama*. This theoretical foundation is therefore rooted in an analysis of Islamic sources, and provides a basis for understanding how Islamic laws aimed at moderating the conduct of nations or ‘states’ at times of war are formed, when they remain static, and when and where they can change. As Morgan Clarke points out, “Islamic legal scholarship is neither produced nor consumed in a vacuum”,⁴²⁶ and it is vital that all Islamic law and legal discourses are scrutinised within the context they are formulated. In the process, I will attempt to discern ‘Islamic’ roots of pragmatism and expediency which could have a bearing on how Iran’s religious leaders view the future of the country’s nuclear programme. This forms the basis of a dynamic reading of Islamic jurisprudence designed to respond to the specific needs of government – what Adib-Moghaddam describes as “Shia realism”⁴²⁷ – which we will see in Chapter Five acts as a far better starting point for analysing where the Islamic Republic’s strategic preferences derive

⁴²⁶ Morgan Clarke, *Islam and New Kinship: Reproductive Technology and the Shariah in Lebanon*, New York: Berghahn Books, 2009, p. 2.

⁴²⁷ Adib-Moghaddam, *Iran in World Politics*, p. 158.

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from (and where they could head) than the narrow ethnocentric ontologies of the deterrence parameter.

I begin the chapter by outlining three levels of analysing Islamic laws of war, and attitudes towards weapons and strategies capable of mass destruction more generally. These are:

1. the level of Qur'anic ontology (i.e. what the Qur'an says, and how it has traditionally structured Muslim attitudes to war and peace),
2. the level of secondary sources (predominantly *ahadith*), and what these say about the practise and attitudes of the Prophet and his *Ahlulbayt*, and
3. the level of theology, and how theology has impacted separate 'referents' of security in Shi'i and Sunni schools of military jurisprudence.

These levels are by no means definitive, but can provide a foundation for any attempt at tracing the kind of influence that Islam can have on Iran's strategic preferences. Qur'anic ontology can be conceptualised as a basic point of reference for strategic preferences, made sense of in practical terms in the process of being channelled through secondary sources and theology in discussions of how Muslims can secure certain objectives – defined largely by the *ulama* – within an overarching Islamic episteme. More precisely, secondary sources can therefore be considered a mediatory level between theology and Qur'anic ontology: a level where Qur'anic ontology is deciphered, utilised in order to legitimise certain theologies, and ultimately linked linearly with clerical pronouncements. My conclusion is that these three levels of analysis must be taken together in order for theory to properly account for any potential normative religious roots of Iranian strategic preferences. As such, I will utilise this broader framework for analysis in Chapter Five in providing a counter-narrative of Islamic discourses concerning nuclear weapons and other weapons capable of mass destruction.

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In outlining this analytical framework, I identify the kinds of Islamic sources, ideas, structures of religious authority, and forms of knowledge production that have historically defined laws (both Shi'i and Sunni) which govern the use of weapons capable of mass destruction. Here, I focus more broadly on weapons *capable* of mass destruction as opposed to nuclear weapons and the more rigid classification of weapons of mass destruction (i.e. WMD) given the inevitable silence of the Qur'an and formative Islamic military jurisprudence on modern weapons technologies (see the following section). This will inform a more contemporary analysis in Chapter Five, where we will observe how early concerns related to weapons capable of mass destruction continue to influence contemporary thinking in Iran's religious establishment concerning nuclear weapons.

At the outset, a few words should be said regarding the types of precedents – legal and historic – that are included as cases studies in this chapter. It will become apparent in this chapter and the next that my framework for viewing Iranian strategic preferences towards nuclear weapons and other WMD is based on a premise that there are sufficient similarities today between Shi'i and Sunni forms of military jurisprudence due to the acceptance of *maslahah* by prominent Shi'i legal theorists in the 20th century. In light of sovereignty being located among the Twelve Imams, and a tendency against involvement in governance (including imperial conquest), Shi'i legal theorists have not traditionally been innovators in the arena of military jurisprudence. We will see in Chapter Five that the precise theological foundations of the Islamic Republic however open up contemporary Islamic discourse to embrace a far wider scope of formative precedents – many of which are outlined in Sunni legal scholarship – in determining Shi'i opinions on nuclear weapons and other WMD, and (more broadly) what can be done in the name of an 'Islamic state'. Nevertheless, this does not imply a linear path of action for the Islamic Republic today when faced with a 'state of exception'.

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My genealogical reading of Islamic military jurisprudence highlights three things about the potential religious roots of Iranian strategic preferences that would otherwise be overlooked today inside of the deterrence parameter. First, it demonstrates the relevance of historical experiences in informing contemporary religious positions on nuclear weapons and other weapons capable of mass destruction, and especially the specific debates and concerns inside and between competing theologies of 'pragmatism' and 'expediency' in light of a need to protect an Islamic state.

Second, it allows for the types of formal and informal power structures and authoritative voices within Islam – and Shi'ism especially – to be better understood in relation to how Muslim societies react to revolutions in military technology in accordance with the *shari'ah*. Understanding these authoritative voices, and how they have historically found accommodation within power structures, is fundamental if we wish to assess the veracity of Islamic legal opinion inside the Islamic Republic today concerning nuclear weapons, and how the scholars themselves view the more pragmatic needs of governance relative to religious law (beyond the deterrence parameter and its ontologies of orientalism and realism). It is in this context that we can begin to assess the impact of religion upon Iran's strategic preferences on its own terms, and offer an alternative narrative of pragmatism rooted in an Islamic epistemology as opposed to the deterrence parameter.

Third, it reveals the problems with essentialising strategic preferences for the Islamic Republic of Iran based on its self-identification as 'Islamic', 'Shi'i', or even 'Persian'. We have already established that Shi'ism today is projected in discussions over Iran's nuclear programme as a homogenous and distinctive theology and legal tradition, associated with certain ontological characteristics. Among these are its abject irrationality and a fixation

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among adherents with martyrdom.⁴²⁸ Outside of the narrow confines of the nuclear debate, Shi'ism has been variously characterised as a "religion of protest" or "resistance",⁴²⁹ especially in works now closely associated with the Iran's revolution.⁴³⁰ Such essentialist readings of Shi'ism imply a linear trajectory in its political theology away from pragmatism and expediency and towards protestation, revolution and resistance. We will observe how both pragmatism and expediency can exist consistently as ontologies within a Shi'i-Islamic episteme, and what this means for understanding military jurisprudence.

First Level of Analysis: Qur'anic Ontologies of Warfare

We should begin by analysing the prerequisite foundation for Islamic discourses concerning warfare and weapons capable of mass destruction which claim to have a basis in law: the Qur'an. Islam was born at a time and place when violent conflict was an inescapable and in many ways normal part of everyday life.⁴³¹ Scholars note that the Arabic word used to denote pre-Islamic times – *jahiliyah* – often translated as ignorance, has as its root the letters *jīm-hā-*

⁴²⁸ See Dilip Hiro, *Iran Under the Ayatollahs*, Oxford: Routledge, 2013, p. 237; Dilip Hiro, *War Without End: The Rise of Islamist Terrorism and the Global Response*, Oxford: Routledge, 2015, p. 22; John Bulloch and Harvey Morris, *The Gulf War: Its Origins, History and Consequences*, London: Methuen London, 1989, p. 104. For a critique of these views, see Said, *Covering Islam*, pp. 84-86. See also John Limbert, a former US diplomat taken hostage in Tehran in 1979, as he notes the pitfalls of relying on these tropes: "I have avoided using terms such as "Iranian character" or "the nature of Shiism" or other such generalizations that have led some analysts - in their search for clarification - into oversimplification, distortion, and unhelpful statements about Iranians' "irrationality," "xenophobia," or Shiite martyr complex." Such characterizations do not help negotiators." Limbert, *Negotiating with Iran*, p. 6.

⁴²⁹ See for instance Hamid Dabashi, *Shi'ism: A Religion of Protest*, Cambridge (MA): Harvard University Press, 2011; Alastair Crooke, *Resistance: The Essence of the Islamist Revolution*, London: Pluto Press, 2009, p. 96.

⁴³⁰ See Ali Shari'ati, "Red Shi'ism (the Religion of Martyrdom) Vs. Black Shi'ism (the Religion of Mourning)", *Iran Chamber Society*, http://web.archive.org/web/20160303214300/http://www.iranchamber.com/personalities/ashariati/works/red_black_shiism.php [Accessed 11.06.16]

⁴³¹ Crooke, *Resistance*, p. 68; Algar, "The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*", in Farhang Rajaee (ed.), *The Iran Iraq War: The Politics of Aggression*, Gainesville: University Press of Florida, 1993, p. 191.

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lām: ‘irascibility’, “above all, a chronic tendency to violence and retaliation”.⁴³² Viewing the revelation of Islam as a revolutionary moment which would inevitably transform society from this status of *jahiliyah*, it was therefore natural that Muslims at the outset of Islam’s birth had very specific and frank discussions about how the religion would moderate violence, including violence in times of conflict. The sole authoritative source for all Islamic sects – the Qur’an – contains a number of verses addressing the conditions for waging war, and in the process outline a number of parameters. It is stated plainly in Surah al-Baqarah, for instance, that Muslims should only:

fight in the cause of God (against) those who fight you but be not aggressive; for verily God loveth not the aggressors

And slay thenwherever ye find them and drive them away whencefrom they drove you away for mischief is more grievous than slaughter but fight not with them nigh unto the (Inviolable) Sacred Mosque until they fight with you therein but if they fight with you slay them (for) such is the recompense of the disbelievers.

But if they desist, then verily God is Forgiving, Merciful.

And fight with them until there is no (more) mischief and religion be only for God but if they desist then there should be no hostility save against the aggressors⁴³³

In the same *surah* it states that while *jihad* is divinely ordained, it is not necessarily a state of affairs to which humans automatically gravitate towards. In doing so, the Qur’an acknowledges an inherent conflict between human nature – inclined towards peace and non-violence – and the prevalence of war in this world (*dunya*), but also commands that this conflict be reconciled by a balanced approach to war and peace:

⁴³² Karen Armstrong, *Fields of Blood: Religion and the History of Violence*, London: The Bodley Head, 2014, p. 161; Reynold Alleyne Nicholson, *A Literary History of the Arabs*, Cambridge: Cambridge University Press, 1953, pp. 28-45.

⁴³³ S.V. Mir Ahmed Ali (Tr.), *The Holy Qur’an: The Final Testament*, New York: Tahrike Tarsile Qur’an Inc, 2009, pp. 127-129.

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Fighting (in the cause of God) is ordained unto you, and it is hateful to you, and perchance ye hate a thing whereas it is good for you, and perchance ye love a thing whereas it is bad for you; and verily God knoweth while ye know not.⁴³⁴

Although war is therefore sometimes unavoidable, and at times even obligatory, the Qur'an contains an explicit command for believers not to be excessive in their conduct:

And kill ye not any one whom God hath forbidden but for a just cause; and whoever is slain unjustly, then indeed have We given his heir the authority, but he shall not be extravagant in slaying; Verily he is aided (by God).⁴³⁵

Verse 190 of Surah al-Baqarah furthermore puts unequivocal limits on the conditions under which wars should be fought, and implies a far more defensive doctrine than the orientalist analysis surveyed in Chapter Two would suggest: "And fight in the cause of God (against those who fight you but be not aggressive; for verily God loveth not the aggressors)".⁴³⁶ Elsewhere, the Qur'an also forbids fighting during the 'four sacred months' of Muharram, Rajab, Dhū al-Qi'da and Dhū al-Hijjah.⁴³⁷

Yet it is vital that our reading of *jihad* in the Qur'an does not become narrowed to more contemporary polemics regarding whether Islam is a religion of peace, or a religion of the sword. Likewise, an Islamic framework for analysing Iran's strategic preferences today should not hinge on the acceptance of one particular view of warfare over others, but instead allow for a variety of different perspectives – some seemingly contradictory – to maintain a degree of semblance in the minds of the *ulama* today. It is therefore the process of selecting one aspect of Qur'anic ontology over another which is of importance to understanding where

⁴³⁴ Ibid, p. 143.

⁴³⁵ Ibid, p. 884.

⁴³⁶ Ibid, p. 127.

⁴³⁷ Ibid, pp. 662-663.

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Iran's nuclear programme could head, rather than the veracity of one interpretation of Qur'anic ontology over another.

While Qur'anic ontology clearly outlines limitations for warfare, its very revelation is now intertwined with a teleology that accepted certain forms of violence as legitimate and even divinely ordained. For example, there is a tendency for classical legal texts related to warfare and other issues towards projecting the revelation of the Qur'an (and ultimately, its ontology) as having taken place over four distinct periods, namely:

1. peaceful propagation of Islam and the *hijrah* to Madina,
2. a stage of defending Madina from Meccans,
3. a limited war of aggression against Mecca, and finally
4. the rapid expansion of Islamic territory beyond the Arabian peninsula.⁴³⁸

Classical jurists articulating some of the foundational views on *jihad* with recourse to Qur'anic ontology were therefore driven by a different theological outlook than some more contemporary theologians that have attempted to determine how religion should guide strategic policy. Within this classical theological outlook of the Qur'an's revelation, and the subsequent spread of Islam under the first four caliphs, they were freer to debate the intricacies of *jihad* beyond the constraints of having to defend Muslims against characterisations of the Islamic faith as being more violent than others. As an example of a more modern trend in reading military jurisprudence, when Ayatollah Mostafa Mohaghegh Damad today refers to the practises of the Prophet concerning *jihad*, he opts to utilise biographical accounts of his life example rather than Qur'anic ontology, or even specific secondary sources (e.g. *ahadith*):

⁴³⁸ Bernard Kenneth Freamon, "Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History", *Fordham International Law Journal*, Vol. 27, No. 1, 2003, pp. 314-315; Ahmed al-Dawoody, *The Islamic Law of War: Justifications and Regulations*, New York: Palgrave Macmillan, 2011, p. 66.

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When he migrated to Medina and gave permission to his followers to carry arms, he did so only for self-defense. The wars he carried out against such tribes as Huwazan and Thaqif were all defensive. “The wars he conducted against some Jewish tribes of Medina such as Binadir, Biqada’ah, and Biqinqa’ were in response to their breach of peace agreement they had signed.” The behavior of the Prophet in wars and peace all proves the primacy of peace over war in dealing with his adversaries.⁴³⁹

Disputing the inference in the discourses surveyed in Chapter Two that the *ulama* read Islamic law dogmatically and rigidly, Damad’s reading points to a wider reading of Islamic sources than Qur’anic ontology *per-se* in the formulation of opinions related to *jihad*. While it is clear that Damad’s conclusions function more as theological tract than they do as formal legal instructions, they nevertheless serve as a reminder that metanarrative has its own resonance in guiding opinions on *jihad* from among the *ulama*, and that essentialising ‘Islamic’ strategic preferences through a narrow reading of Qur’an and Sunnah overlooks a substantial number of other normative sources. In this context, a parallel can be found in how Qur’anic ontology is discerned within a broader epistemological framework, and the formulation of strategic preferences within the deterrence parameter. Given that Damad’s views can also be assessed as polemical in that they address contemporary concerns about the ‘image’ of Islam presented in the West, his views are thus a reminder that contemporary Islamic thinking on *jihad* can often be situated in a broader system of competing secular views related to war and peace (e.g. realism, American exceptionalism, etc.).

Yet in contrast to more recent theological narratives of warfare presented by scholars such as Damad, classical scholars who conceived of formative literature in military jurisprudence readily accepted both periods of defensive *and* offensive *jihad* as being equally fundamental

⁴³⁹ Mohammad H. Faghfoory, “Shi’ite Islam”, in Gregory M. Recihberg, Henrik Syse, Nicole M. Hartwell (eds.), *Religion, War, and Ethics: A Sourcebook of Textual Traditions*, Cambridge: Cambridge University Press, 2014, p. 431.

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to the revelation of the Qur'an to the Prophet. This allowed for Qur'anic ontology to be consumed by legal theorists as a comprehensive source capable of addressing all questions related to defensive and offensive war, and specifically during the consolidation and expansion of Muslim empires.

Part of the role of these jurists would be to act as 'securitising actors' in determining which type of verse to draw from: belonging to the period of the *hijrah*, defensive war against the Meccans, or limited offensive war against Mecca. To this day, certain verses have been used to justify that considerable expense and thought be devoted to the construction of both offensive and defensive military capability. Take for example the following verse of the Qur'an commanding believers to

prepare ye against them whatever (force) ye can, and steeds of war at the garrison to frighten the enemy of God thereby and your enemy and others besides them, whom ye know not, (but) God knoweth them; and whatever things ye spend in God's way, will be repaid unto you, and ye shall not be dealt with unjustly⁴⁴⁰

Focusing on the use of the word 'steed' ('*rebat*' in Arabic), Ayatollah Mortaza Mutahhari – a central figure of the Islamic Revolution in Iran who chaired Iran's Revolutionary Council at the time of his assassination in 1980 – interprets this verse as a meaning that Muslims should always maintain the most modern of military arsenals and technology, regardless of the costs.

Rebat comes from the word Rabt. Rabt means to tie. Rebat-ol-Kheyli means tied horses (horses tethered). The statement about horses in readiness is made because in the past, the

⁴⁴⁰ Ahmed Ali (Tr.), *The Holy Qur'an*, p. 640.

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strength of armies consisted mostly in horses, but naturally each age has its own characteristics.⁴⁴¹

Mutahhari connects military modernity to fear in his reading of the *ayat*, and specifically the ability of Muslim armies to instil fear in the enemy as a deterrent:

These verses mean that for the fear of our strength to enter the hearts of our enemies and eliminate the notion of aggression from their minds, we are to build ourselves an army and make ourselves stronger.⁴⁴²

Mutahhari shares this interpretation of the steed verse with Ayatollah Lotfollah Safi Golpayegani, a prominent *marja al-taqlid* appointed by Khomeini to run the Guardian Council in 1979, whom eventually resigned due to his rejection of Islamic expediency.⁴⁴³ In a reading couched in a general critique of ‘quietist’ scholars that would reject the need for significant expenditure or efforts in the military domain due to the absence of the Twelfth Imam, Golpayegani’s opinion is that even for defensive purposes, Muslims should acquire the most modern weapons.⁴⁴⁴ Notably, Golpayegani compares the necessity of maintaining a modern defensive capability to protect one’s ‘Islamic homeland’, with the basic responsibility to protect one’s possessions.⁴⁴⁵ In the process he situates his view of a military deterrent in an Islamic perspective of Qur’anic ontology couched in a transcendent view of the Qur’an, where it is believed to mediate between our own limited faculties of reasoning and absolute

⁴⁴¹ Mortaza Mutahhari (Tr. Mohammad Salman Tawhidi), *Jihad: The Holy War of Islam and its Legitimacy in the Quran*, 1985. Republished by *al-Islam*: <http://web.archive.org/web/20160421131354/http://www.al-islam.org/jihad-holy-war-islam-and-its-legitimacy-quran-ayatullah-murtadha-mutahhari/lecture-one-questions> [Accessed 09.06.16]

⁴⁴² Ibid.

⁴⁴³ Naser Ghodbadzadeh, *Religious Secularity: A Theological Challenge to the Islamic State*, Oxford: Oxford University Press 2014, p. 102 (n5).

⁴⁴⁴ Golpayegani, *Discussions Concerning Al Mahdi*, p. 22.

⁴⁴⁵ Ibid, p. 22.

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truths only fully grasped by the Prophet and Twelve Imams. “Just as a Muslim’s house, dependents, property, and self must be safe from danger and attack by outsiders, the Islamic homeland as well – which is the home of all – must be free from danger”.⁴⁴⁶ Incidentally, Abul Ala Mawdudi – an influential Pakistani political theorist and activist – would also likewise later refer to this verse in arguing that it was incumbent for Muslims to possess “every type of weapon available”.⁴⁴⁷

Yet although Qur’anic ontology can therefore be read as commanding Muslims to build and maintain the most modern of military forces, it contains no strict definition of what constitutes a modern military arsenal or capability. Even beyond the Qur’an, understanding what constitutes tactical or strategic modernity is by no means an objective task. As Ward Wilson reminds us, from a technical and deployment perspective nuclear weapons are much less modern and effective than emerging capabilities, such as cyber warfare and laser technologies.⁴⁴⁸ The most devastating weapons are not necessarily the ‘smartest’, nor most technologically advanced or functional. A more recent emphasis – or at least perceived emphasis – on ‘hybrid’ warfare in Russia’s strategic doctrine⁴⁴⁹ should likewise force us to consider whether the Islamic Republic’s might view its enhanced capacity at blending asymmetric measures (often non-military) with conventional military capabilities⁴⁵⁰ as more

⁴⁴⁶ Ibid, p. 22.

⁴⁴⁷ A. Christian van Gorder, *Islam, Peace and Social Justice*, Cambridge: James Clarke & Co., 2014, p. 52.

⁴⁴⁸ Ward Wilson, “The Myth of Nuclear Necessity”, in *Moving Beyond Nuclear Deterrence to a Nuclear Weapons Free World*, *Nuclear Abolition Forum*, Issue 2, 2013, p. 3.

⁴⁴⁹ Heidi Reisinger and Alexander Golts, “Russia’s Hybrid Warfare: Waging War below the Radar of Traditional Collective Defence”, *NATO Defense College* [Research Division], Research Paper, No. 105, November 2014, pp. 1-12.

⁴⁵⁰ For more on the evolution of Iranian asymmetric capabilities in a number of areas since the Revolution, see: Hesam Forozan, *The Military in Post-Revolutionary Iran: The Evolution and Roles of the Revolutionary Guards*, Oxford: Routledge, 2015, p. 168; Hall Gardner, “Hybrid Warfare: Iranian and Russian Versions of “Little Green Men” and Contemporary Conflict”, *NATO Defense College* [Research Division], Research Paper, No. 123, December 2015, pp. 1-16; Eric K. Shafa, “Iran’s Emergence as a Cyber Power”, *Strategic Studies*

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strategically ‘modern’ than outright mass destruction or nuclear deterrence. Nuclear weapons would therefore not necessarily fit within this particular Qur’anic ontology, and this warrants further inquiry into whether or not the *ulama* view them in this light today.

A similar ambiguity in how to read Qur’anic ontology as it relates to warfare is found in its prohibition against *jihad* during the four sacred months of the year. While Muslims are instructed not to fight during these months, the following verse implies a condition of perpetual war so long as there are ‘idolaters’:

So when the sacred months are past then slay the idolaters wherever ye find them, and seize them and besiege them and lie in wait for them in every ambush, then if they repent and establish prayer, and give the poor-rate, then leave their way free to them⁴⁵¹

Commentators⁴⁵² tend to overlook the complex presentation of *jihad* in Qur’anic ontology and instead refer to verses like this in isolation from others or abstracted from the Qur’an as a whole.⁴⁵³ This tendency favours a narrative that Muslims today seeking to revive or return to an ‘authentic’ form of Islam will inevitably retrieve a set of strategic preferences that are diametrically opposed to those – conceived in Judeo-Christian, or secular traditions – which privilege stability, restraint, expediency and ultimately security. In doing so, both contemporary jihadis and orientalist alike have constructed a ‘clash regime’ – a regime of

Institute, U.S. Army War College, 20 August 2014, <http://web.archive.org/web/20160529141015/http://strategicstudiesinstitute.army.mil/index.cfm/articles/Irans-emergence-as-cyber-power/2014/08/20> [Accessed 11.06.16]

⁴⁵¹ Ahmed Ali (Tr.), *The Holy Qur’an*, p. 654.

⁴⁵² For a critique of this historical tendency, see also Edward Said’s reading of Louis Massignon’s belief that Islam is a “religion of resistance”, in Said, *Orientalism*, p. 268.

⁴⁵³ In contrast, “Qur’anic stories invite jurists to reflect upon their meaning in contemporary contexts and draw responsible prescriptive rules consistent with the entirety of the Qur’an”. L. Ali Khan and Hisham M. Ramadan, *Contemporary Ijtihad: Limits and Controversies*, Edinburgh: Edinburgh University Press, 2011, p. 21.

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truth based on the assumption that conflict between ‘Islam’ and ‘West’ is inevitable⁴⁵⁴ – out of their own readings of Qur’anic ontology, assuming strategic preferences conceived in the Islamic world to be radically more confrontational than those originating in the West. This amounts to the conclusion that the foundational views of Islam inevitably push the West into “permanent war against the ‘other’”.⁴⁵⁵ Such a clash regime can be noted in the work for instance of famed historian and orientalist Bernard Lewis as follows:

In the classical Islamic view, to which many Muslims are beginning to return, the world and all mankind are divided into two: the House of Islam, where the Muslim law and faith prevail, and the rest, known as the House of Unbelief or the House of War, which it is the duty of Muslims ultimately to bring to Islam. But the greater part of the world is still outside Islam, and even inside the Islamic lands, according to the view of the Muslim radicals, the faith of Islam has been undermined and the law of Islam has been abrogated. The obligation of holy war therefore begins at home and continues abroad, against the same infidel enemy.⁴⁵⁶

It is this type of paradigm for viewing Islam – and the prominent discussions of *jihad* inside Islam in particular – which allows the discourse of the ‘mad mullah’ to become more salient in discussions regarding the direction of Iran’s nuclear programme, and raise the stakes over debates related to the origins of its strategic preferences more generally. For scholars like Lewis, Qur’anic ontology normalises war through its specific identification – and securitisation – of external and internal enemies of the faith. ‘Authentic’ Islam is here in its purest form, according to this account, inevitably intertwined with perpetual *jihad*, and strategic preferences founded upon such a ground can only ever be expansionist and offense-

⁴⁵⁴ See Adib Moghaddam, *Metahistory*, p. 4.

⁴⁵⁵ Ibid, p. xiii.

⁴⁵⁶ Bernard Lewis, “The Roots of Muslim Rage”, *The Atlantic*, September 1990, <http://web.archive.org/web/20160421144042/http://www.theatlantic.com/past/issues/90sep/rage.htm> [Accessed 18.06.16]

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oriented. It is from a similar premise that Samuel P. Huntington constructs a major fault-line in his 'clash of civilisations' thesis, and why he views conflict between 'Islamic civilisation' and others to be inevitable.⁴⁵⁷ We do not refer to India's nuclear weapons as 'Hindu',⁴⁵⁸ yet often describe a potential Iranian weapon and the strategic choices leading to weaponisation as 'Islamic' based on the premise of a clash of civilisations, rooted in what is perceived to be an unequivocally hostile belief system rooted in the Islamic faith.

Crucially, this kind of de-contextualised view of the earliest sources of Islam has precedence in popular readings of Islamic commentary referring to the type of Qur'anic ontology that Lewis has in mind. The very division of the world into two 'abodes' which Lewis refers to a much older paradigm devised by the influential Hanafi jurist Mohammad al-Shaybani, who believed the world is comprised of territory already under Muslim rule and that *not yet* under Muslim rule. These two distinct 'abodes', or 'domains' – *dar al-Islam* (the abode of Islam), and *dar al-Harb* (the abode of war). Additionally, a third abode – *dar al-sulh*, or abode of the peace treaty – was later conceived as a legal framework for accommodating cordial relations with non-Muslims (or in some cases "capitulation").⁴⁵⁹ These were predominantly non-Muslim territories which "remained autonomous provided that its people recognized Muslim authority and paid tributes".⁴⁶⁰ Shaybani's division of the world into *dar al-harb* and *dar al-Islam*, which can be considered an early Islamic 'metanarrative' based upon the idea that

⁴⁵⁷ Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, London: Simon & Schuster, 2002.

⁴⁵⁸ See comments by Pakistan's former President, Pervez Musharraf, in the context of India-Pakistan nuclear rivalry. "Musharraf Discusses India, Terrorism And His Future", *National Public Radio*, 12 November 2010, <http://web.archive.org/web/20160622142530/http://www.npr.org/2010/11/11/131254768/musharraf-discusses-india-terrorism-and-his-future> [Accessed 22.06.16]

⁴⁵⁹ Bruce Masters, "Dar al-Harb", in Gábor Ágoston and Bruce Masters (eds.) *Encyclopedia of the Ottoman Empire*, New York: Infobase Publishing, 2009, pp. 174-175.

⁴⁶⁰ Niall Christie, *Muslims and the Crusaders: Christianity's Wars in the Middle East, 1095-1382, from the Islamic Sources*, Oxford: Routledge, 2014, p. 11.

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military confrontation with peoples of other religions, cultures and ‘civilisations’ is an inevitable, constant reality facing the Muslim community until a final victory of the Islamic faith.⁴⁶¹

Yet the normalisation of war in the Qur’an does not necessarily point to the Islamic faith being any more of a violent normative basis for strategic thinking about warfare than other secular frameworks, or an inherent preference for verses of the Qur’an regarded as more violent than others. On the contrary, as we have seen in the context of Surah al-Baqarah earlier in this section, it is precisely by projecting war as an inescapable feature of the temporal world that regulating its conduct according to God’s law is possible. “Like it or not, life is war and struggle” writes Ayatollah Mahmoud Taleghani – who chaired Iran’s Revolutionary Council – but “those who are acquainted with a sublime object of faith wage war “in God’s way,” for God’s sake”.⁴⁶² As a parallel, it is precisely through Christianity having reconciled prohibitions against killing with the need for defence that it was able to systematise a religious framework for international relations based on Just War Theory.⁴⁶³

not so much a single tradition but rather a broad intertwining of competing and collaborating traditions that are united simply by the task of trying to judge normatively acts of violence.⁴⁶⁴

⁴⁶¹ Tariq Ramadan disputes the very notion of using the *dar al-Harb/al-Islam* distinction as a universal and transhistorical framework for understanding world affairs due to it being absent in the Qur’an and Sunnah. See Tariq Ramadan, *To be A European Muslim: A study of Islamic Sources in the European Context* (Leicester: The Islamic Foundation, 1999, p 23.

⁴⁶² Mahmoud Taleghani (Tr. R. Campbell), *Society and Economics in Islam: Writings and Declarations of Ayatullah Sayyid Mahmud Taleghani*, Berkeley: Mizan Press, 1982, p. 80.

⁴⁶³ See Lloyd Steffen, *Holy War, Just War: Exploring the Moral Meaning of Religious Violence*, Baltimore: Rowman & Littlefield Publishers, 2007, p. 240.

⁴⁶⁴ Nicholas Rengger, *Just War and International Order: The Uncivil Condition in World Politics*, Cambridge: Cambridge University Press, 2013, p. 91. See also Alex Bellamy, *Just Wars: From Cicero to Iraq*, Cambridge: Polity Press, 2006, p. 229.

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In relation to more recent attempts at theorising a theological basis for warfare, the type of normalisation of war within Qur'anic ontology can be said to bring the Islamic paradigm closer in line with the Christian-realism of Reinhold Niebuhr to the extent that his moral framework for war likewise is dependent upon specific religious scripture (along with a credence based upon a claim to 'universality'),⁴⁶⁵ while at the same time based on the rejection of literalism.⁴⁶⁶ Counter-intuitively then, the normalisation paradigm rooted in Qur'anic ontology simultaneously challenges the perception of Islam both as an irrational doctrine of expansion and perpetual conflict constructed by Lewis and in the discourses surveyed in Chapter Two, and the ethnocentric 'like-unit' model proposed by the dominant realist perspectives of state agency surveyed in Chapter Three.

This is especially the case when considered in the context of prominent views on mass destruction. Early Sunni laws forbade mass destruction during war on the assumption that Muslims would one day inherit the territory that was being fought over. Laws forbidding Muslim soldiers from harming the environment at times of war were based on Shaybani's logic that territories could be classified as either territory under Muslim control or *not yet* under Muslim control, therefore tying the fate of land under the control of the enemy with the future prosperity of the Muslim state. Date trees, for example, could not legitimately be cut down or burned by Muslim soldiers when occupying enemy territory.

⁴⁶⁵ Ahmad Atif Ahmad, *Islam, Modernity, Violence, and Everyday Life*, New York: Palgrave Macmillan, 2009, p. 118.

⁴⁶⁶ Keith Pavlischek, "Reinhold Niebuhr, Christian Realism, and Just War Theory: A Critique", in Eric Patterson (ed.), *Christianity and Power Politics Today: Christian Realism and Contemporary Political Dilemmas*, Hampshire: Palgrave Macmillan, 2008, p. 54.

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Do not destroy the villages and towns, do not spoil the cultivated fields and gardens, and do not slaughter the cattle.⁴⁶⁷

This aspect of the normalisation paradigm derived out of Qur'anic ontology would certainly preclude Muslims from using weapons that would cause catastrophic damage to the environment. The views of Shaybani himself also point to a more ethical approach to warfare than given credit for, considering it impermissible to kill minors during war due to them having not reached an age where they make a choice of 'refusing' or 'accepting' Islam, thereby placing them outside of both *dar al-harb* and *dar al-Islam*.⁴⁶⁸

Both pragmatism and restraint are ultimately found in Shaybani's paradigm, but also rooted in the Qur'an's normalisation of war. This raises the possibility that an 'Islamic' view of warfare can engender both humanitarian and 'rationalist' outcomes for policy within a system of governance predicated on Islamic law. That such pragmatism can be found in early Qur'anic ontology also points to the problematic contemporary discourse that Iranian foreign policy-making can be measured accurately (and definitively) in terms of Islamic authenticity against streaks of *realpolitik*. It is with this in mind that Amr Sabet develops a more nuanced analysis of Shaybani's *al-harb/al-Islam* distinction, concluding that there are parallels between his conception of war and peace and those developed centuries later by Hugo Grotius, and even modern realists such as Kenneth Waltz and Hans Morgenthau. Yet Sabet argues that commonalities shared by Shaybani and the later authors, particularly with regards to the "juristic" interest in studying the phenomenon of war, derives from the fact that all seek to construct a systemic theory of the international out of the basic condition of war,

⁴⁶⁷ Abu Bakr, translated from Arabic by Abul Ala Mawdudi in Abul A'la Mawdudi, *Human Rights in Islam*, Lahore: Islamic Publications Ltd., 1995, p. 37.

⁴⁶⁸ John Kelsay, *Islam and War: The Gulf War and Beyond – A Study in Comparative Ethics*, Louisville: John Knox Press, 1993, p. 63.

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rather than the ontological definitions themselves. Like Grotius, Morgenthau and Waltz after him, Shaybani was interested in

causes and justifications of war and the conditions of peace, security, and order; [...] power and position as an/the essential actor (unit of analysis in the community of nations; [...]) conceptions and images of the international system and the role of the “state” in that system.⁴⁶⁹

As such, the division of the world into abodes of ‘Islam’ (and by implication, ‘peace’) and ‘war’ as a metanarrative of ‘us’ and ‘them’, is less a confirmation of a clash of civilisations than it is evidence of early attempts at constructing a systemic theory of international relations within Islamic parameters. Shaybani’s reading of Islamic scripture was made possible through his utilisation of a legal framework as the basis for international relations and – specifically – the moderation of war. As Adib-Moghaddam points out, it was only much later with the writings of Katib Çelebi in the 17th century that the *al-Harb/al-Islam* dichotomy took on a more militaristic and expansionist connotation.⁴⁷⁰ Shaybani’s dichotomy therefore does not point to any foregone conclusions about the type of strategic preferences or attitudes to warfare on a micro-level.

Second Level of Analysis: Secondary Sources of Islamic Law

We have recognised that the normalisation of war in Qur’anic ontology allows for a ‘systemic’ vision of security and international relations inside Islam that is potentially more important for understanding contemporary strategic preferences in the Islamic Republic of Iran than ontological definitions taken individually or out of context. This systemic vision helps consolidate the epistemic boundaries of what are constructed as being ‘Islamic’

⁴⁶⁹ Sabet, *Islam and the Political*, p. 129.

⁴⁷⁰ Adib Moghaddam, *Metahistory*, pp. 89-90

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strategic preferences, and opinion-making concerning various tactical doctrines associated with mass-destruction. It is within this space that strategic preferences which govern the development, use and non-use of weapons capable of mass destruction compete with one another.

Yet in spite of the broad acceptance of this space for formulating strategic preferences, there has been historically little consensus between Shi'i and Sunni schools regarding the types of secondary sources – namely, narrated traditions (*ahadith*) – which can inform the reading of Qur'anic ontology, particularly in the context of developing laws and doctrines of war. This is crucial as there are far more secondary sources that outline either explicit or implicit parameters for warfare than there are Qur'anic verses. We will now proceed to consider the second level of analysis: non-Qur'anic sources of military jurisprudence and strategic preferences in Islam. This remains central for our assessment in Chapter Five of how pragmatism and expediency are viewed within Shi'i religious legal discourses, and how these views could impact policies on nuclear weapons.

Aside from the Qur'an, narrated traditions which illustrate the sayings and practises (singular: *sunnah*, plural: *sunnan*) of the Prophet are also relied upon in developing both legal parameters of warfare based on reference to Qur'anic ontology, and theologies for viewing what Giorgio Agamben might consider 'states of exception'⁴⁷¹ (more of which will be said in the next section, and in Chapter Five). Given the Islamic view that the Qur'an is entirely complete and in no need of authentication, its own parameters are consequently held by both Shi'a and Sunnis to be of greater weight than those found in *ahadith*. A precedent or commandment in the Quran can subsequently overrule any *hadith* believed to contradict its content.

⁴⁷¹ Giorgio Agamben (Tr. Kevin Attell), *State of Exception*, Chicago: University of Chicago Press, 2005.

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Nevertheless, ambiguity in how to apply verses in the Qur'an to military strategy (including if and when the use of weapons capable of mass destruction can be necessary or permissible, and seeming conflicting verses of the Qur'an such as those outlined in the previous section) has meant that Muslims have also relied upon the example set by the Prophet outlined in *ahadith*. In addition to the *sunnah* of the Prophet, Twelver Shi'a consider the verified judgements and precedents set by a succession of 'infallible' (*masoom*) Twelve Imams, present on earth between 632 and around 873-74 AD, as authoritative.⁴⁷² During the lifetime of the Prophet and the Twelve Imams, this meant that there was little controversy in heeding to one source of guidance on political, spiritual, and military matters. On a practical level, Shi'i emulation of these *masoomin* means that they should in theory draw from a wider historical sample of authoritative traditions related to military jurisprudence than their Sunni counterparts. If any of these infallibles were to declare *jihad*, or outline conduct on the battlefield, their opinions would be considered an authoritative basis for strategic preferences. Of these *ahadith*, some provide a general views within Shi'ism concerning *jihad*, while others highlight conducted specifically related to weapons capable of mass destructions and strategies associated with mass destruction. In a famous *hadith* narrated on the authority of the Sixth Imam Ja'far al-Sadiq, the Prophet upon witnessing fighters returning from battle blesses them for having performed the 'lesser' *jihad*, but states that they have yet to perform the 'greater' *jihad*. When asked what the greater *jihad* was, the Prophet replies that it is *jihad* 'al-nafs': the struggle of the self.⁴⁷³ Khomeini dissects this *hadith* in volume within which he explores a wide selection of *ahadith* from a mystical and ethical standpoint:

⁴⁷² Andrew J. Newman, *The Formative Period of Twelver Shi'ism: Hadith as Discourse between Qum and Baghdad*, Oxford: Routledge, 2000, p. xiii.

⁴⁷³ Cited by Ruhollah Khomeini in *Forty Hadiths: An Exposition of Ethical and Mystical Traditions*, Qom: Institute for the Compilation and Publication of Imam Khomeini's Works, 2010, p. 35.

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man is a marvel possessing two lives and two worlds within one existence. That is, apparent life or the outward world, which is this worldly existence, and is associated with his body, and the other is 'inner life', the inward world, associated with the hidden, invisible, higher other world, his soul in short⁴⁷⁴

Khomeini ultimately interprets this *hadith* as indicating that the 'lesser' jihad of war is the practical foundation for the greater *jihad* of purification. Taleghani cites a similar *hadith* regarding the Fourth Imam, Imam Sajjad, concluding that it be a "precondition" for *jihad* that the participant be someone who is repentant before God.⁴⁷⁵ For both Khomeini and Taleghani, *jihad* was in this *hadith* a reminder of the unity of this life (*dunya*) and the next (*akhira*),⁴⁷⁶ and of the 'normalisation' paradigm contained in Qur'anic ontology which absorbed war and military affairs into the realm of the spiritual. We find this sentiment in Khomeini's work expressed elsewhere: "[l]ook at the Prayer of Kumayl, which has been transmitted from the Commander of the Faithful, and reflect on the fact that it was composed by a man who wielded the sword."⁴⁷⁷

There are a few practical examples from the brief tenure of Imam Ali as Caliph (detailed in *ahadith*), as well as during the lives of subsequent Imams, which can help us discern tactical or strategic doctrines of war within Shi'ism. One of the few insights into his strategic outlook can be found during the Battle of Siffin in 657 AD, when the army of the first Imam Ali fought against that of Muawiyah I (led by Amr ibn al-Aas). Due to their losses, enemy

⁴⁷⁴ Ibid, p. 35.

⁴⁷⁵ Taleghani, *Society and Economics in Islam*, pp. 94-95.

⁴⁷⁶ This is a theme that Ali Shari'ati would also wrestle with extensively in his redefinition of *tawhid* and conceptualisation of *eslamshinasi* ('Islamology'). See Ali Rahnama, *An Islamic Utopian: A Political Biography of Ali Shari'ati*, New York: I.B. Tauris, 2014, p. 289; Ali Shari'ati, "The World-View of Tauhid", in Ali Shari'ati (Tr. Hamid Algar), *On the Sociology of Islam: Lectures by Ali Shari'ati*, Berkeley: Mizan Press, 1979, pp. 82-87.

⁴⁷⁷ Ruhollah Khomeini, "Lectures on Surat al-Fatiha", in Algar (ed.), *Islam and Revolution I*, p. 401.

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soldiers began raising Qur'an on spears as a gesture that both sides should cease hostilities and heed to the Qur'an's guidance in reaching an arbitrated settlement.⁴⁷⁸ The call for arbitration was made at a point where it seemed that defeat of Muawiyah's forces was inevitable, and because of his suspicions that the enemy would use the arbitration to their own benefit. In addressing his followers, he recounts that:

[w]hen they raised the Holy Quran by way of deceit, craft, artifice and cheating, did you not say that they are our brothers and comrades in accepting Islam? They want us to cease fighting and ask for protection through the Book of Allah, the Glorified. Our opinion is to agree with them and to end their troubles. Then I said to you, in this affair, the outer side is Faith but the inner side is enmity.⁴⁷⁹

Imam Ali's justification for having initially opposed arbitration and the cessation of conflict stemmed from a more mystical claim of representing a form of military and political leadership that transcended all temporal criteria, driven by 'hidden' truths as well as practical considerations. In a famous tradition contained in *Nahj al-Balagha*, he dismissed the gesture of propping Qur'an's with spears as a reminder of Islam's teachings in the following way:

when this thing (arbitration) was done I found that you agreed to it. By Allah, if I had refused it, it would not have been obligatory on me. Nor would Allah have laid its sin on me. And by Allah, not that I have accepted it, I alone am the rightful person who should be followed, for certainly the Qur'an is with me. I have never forsaken it since I adopted its company.⁴⁸⁰

⁴⁷⁸ Feisal Abdul Rauf, "What is Sunni Islam?", in Vincent J. Cornell (ed.), *Voices of Islam Volume 1: Voices of Tradition*, Westport: Praeger Publishers, 2007, p. 190.

⁴⁷⁹ Yasin T. al-Jibouri (ed.), *Peak of Eloquence: Nahjul Balagha by Imam Ali [With Commentary By Martyr Ayatollah Murtada Mutahhari]*, New York: Tahrike Tarsile Qur'an Inc, 2009, p. 497.

⁴⁸⁰ Ibid, P. 498.

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For the Shi'a, the actions of Imam Ali reflected the Qur'an in its fullest esoteric and exoteric form – the “speaking Qur'an” (*al-Qur'an al-Natiq*)⁴⁸¹ – thereby intertwining his leadership and military conduct with divine guidance. As Khomeini writes, “one stroke of Imam Ali's sword was more meritorious than all the acts of worship performed by the jinn and mankind”.⁴⁸² In a similar vein to the transcendent conduct of Imam Ali, accounts of the martyrdom of the Third Imam, Hussein, are told and eulogised each year during the month of Muharram, and there are vast scholarly literatures examining the resonance of these accounts which often highlight examples of bravery, self-sacrifice and uncompromising moral clarity during the Battle of Karbala as narrated in (both authentic and inauthentic) *ahadith*.⁴⁸³ More specific insights into Ali's views of warfare are recounted by the ninth century historian al-Tabari, and in the commentary to *Nahjul Balagha* by Mutahhari. Imam Ali is believed to have set the following limits on *jihad* prior to the Battle of Siffin:

- a) that believers never instigate war,
- b) that believers never strike first,
- c) that those fleeing from the battlefield are not pursued and killed,
- d) that the wounded are not killed,
- e) that the believer not mutilate the enemy, and

⁴⁸¹ Sayyid Muhammad Rizvi, *Shi'ism: Imamate & Wilayat*, Qom: Ansariyan Publications, 2002, pp. 141-143.

⁴⁸² Ruhollah Khomeini, in Mortaza Mutahhari, Muhammad Hussein Tabataba'i and Ruhollah Khomeini, *Light Within Me*, Qom: Ansariyan Publications, 2006, p. 141.

⁴⁸³ See for instance Janet Afary, “Shi'i Narratives of Karbala and Christian Rites of Penance: Michel Foucault and the Culture of the Iranian Revolution, 1978-1979”, *Radical History Review*, Issue 86, Spring 2003, pp. 7-35. For an Islamic scholarly critique of the veracity of these *ahadith*, see Mortaza Mutahhari, “Ashura – Misrepresentations and Distortions – Part 1”, *al-Tawhid Islamic Journal*, Vol. 13, No. 3, n.d.. Republished by *al-Islam*: <http://web.archive.org/web/20160429181426/http://www.al-islam.org/al-tawhid/vol13-no3/ashura-misrepresentations-distortions-part-1-mutahhari> [Accessed 09.06.16]; Mortaza Mutahhari, “Ashura – Misrepresentations and Distortions – Part 2”, *al-Tawhid Islamic Journal*, Vol. 13, No. 4, n.d.. Republished by *al-Islam*: <http://web.archive.org/web/20160212144447/http://www.al-islam.org/al-tawhid/vol13-no4/ashura-misrepresentations-distortions-part-2-mutahhari> [Accessed 09.06.16]

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f) that neither women, children or the elderly are harmed.⁴⁸⁴

These conditions would in theory be sufficient in rendering weapons capable of mass destruction, including nuclear weapons, impermissible as deterrents (and inevitably, part of a strategic doctrine which allows for their use against civilian populations), and weapons of first-use.

Ali's position at Siffin had a legacy which transcended this one particular battle. During the Iran-Iraq war, Ayatollah Mousavi Ardebili made reference to the example of Imam Ali's set here in his justification for why Iran should not accept a ceasefire with Baathist Iraq in 1982.⁴⁸⁵ Iran moreover rejected the sequencing of UN Security Council Resolution 598 on the grounds that a ceasefire should have only come about after arbitration, rather than before – again an allusion to the lessons of Siffin.⁴⁸⁶ In 2012, Ayatollah Khamenei's representative to the IRGC Ali Saeedi also made a reference to Siffin, quoting Malik al-Ashtar in arguing that Iran should not cave in to western demands regarding its nuclear programme due to the 'weak will' of certain Iranians – again, likening this group to the partisans of Ali at the time.⁴⁸⁷

Beyond these examples, the Eighth Shi'i Imam – Ali al-Ridha – is said to have become enraged with his brother Zayd bin Musa bin Ja'far Sadiq, upon learning that he had set fire

⁴⁸⁴ Al-Jibouri (ed.), *Peak of Eloquence*, pp. 254-255. See also Ali Akbar Alikhani, "Iran's Religious Fundamentals and Principles in Interaction with the International System", in Anoushiravan Ehteshami and Reza Molavi (eds.), *Iran and the International System*, Oxford: Routledge, 2012, pp. 14-15.

⁴⁸⁵ Ardalan Rezamand, "Use of Religious Doctrine and Symbolism in the Iran-Iraq War", *Journal of the Centre for Studies in Religion and Society*, Vol. 9, No. 1, 2010, p. 88.

⁴⁸⁶ Jan Hjarpe, "Historiography and Islamic Vocabulary in War and Peace: A Memento for Conflict Resolution in the Muslim World", in Douglas P. Fry and Kaj Bjorkqvist (eds.), *Cultural Variation in Conflict Resolution: Alternatives to Violence*, Mahwah: Psychology Press, 2013, p. 117.

⁴⁸⁷ "We Are on the Verge of Conquering the Tent of Muawiyah", *Fars News Agency*, 14 July 2012, <http://web.archive.org/web/20150219164130/http://www.farsnews.com/newstext.php?nn=13910424000493> [Accessed 08.06.16]

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and destroyed all of the houses belonging to the House of Abbas and its followers in Basra after it had been retaken from Abu al-Saraya's control.⁴⁸⁸ So infamous was this incident of mass killing for the Shi'a that Zayd received the nickname Zayd 'al-Naar': Zayd of the Fire.⁴⁸⁹ Yet in another instance, it is recounted in one hadith found in *Kitab al-Kafi*, graded as 'good' by Allamah Majlisi, that Imam Ali had sentenced to death by fire those who attributed divinity to him (namely, the *ghulāt*).⁴⁹⁰ This highlights a point of ambiguity in whether the Imams forbade the use of fire as a weapon writ large, or only in circumstances which would result in 'unlawful' deaths.

As the discrepancy – at least in principle – between the actions of Imam Ali and the view of Imam al-Ridha concerning the use of fire as a weapon indicate, just as there is difficulty associated with attempting to ascertain what an 'Islamic' doctrine of warfare looks like with sole reference to Qur'anic ontology in its constituent parts (i.e. verses) rather than as a whole, there is an equal difficulty with attempting to construct a definitive Islamic doctrine of warfare with reference to traditions in isolation from Qur'anic ontology, or (as we will observe in the next section), theology. This should be kept in mind as one attempts to understand the origins of *fatawa* on nuclear weapons today, particularly as we assess the

⁴⁸⁸ See Akbar Shāh Khān Najībābādī, Ṣafī al-Raḥmān Mubārakfūrī and Abdul Rahman Abdullah, *The History of Islam: Vol. 2*, Beirut: Darussalam International Publications, 2001, p. 405; Ali Peiravi and Lisa Zaynab Morgan (eds., Trs.), *Uyun Akhbar al-Reza: Volume 1* [English: Sources of Traditions on Imam Ridha], Qom: Ansariyan Publications, 2006, p. 237; Abu Ja'far Mohammad ibn Jarir al-Tabari (Tr. C.E. Bosworth), *The History of al-Tabari Vol. 32: The Reunification of the 'Abbasid Caliphate: The Caliphate of al-Ma'mun A.D. 813-833/A.H. 198-218*, New York: State University of New York Press, 1987, pp. 28-29.

⁴⁸⁹ Ali Peiravi and Lisa Zaynab Morgan (eds., Trs.), *Uyun Akhbar al-Reza: Volume 2*, Qom: Ansariyan Publications, n.d., p. 283.

⁴⁹⁰ Al-Hurr al-Aamili, *Wasā'il al-Shī'a* : Vol. 28 [English: *Means of the Shia*], Tehran: al-Mowla Mehdi, 1988, p. 334. Republished by *Rafed.net* at

http://web.archive.org/web/20160520174034/http://books.rafed.net/view.php?type=c_fbook&b_id=362
[Accessed 08.06.16]

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importance of couching all proclamations in this area in a system whereby the connection of the Supreme Leader's views to a higher truth is taken (at least in principle) as a given.

For all those *ahadith* which have served as the basis of Islamic laws which put limits on *jihad*, there are others which reinforce a much more confrontational outlook on military affairs and what can be done in the name of 'protecting' Islamic referents of security. Based on secondary sources, these outlooks can therefore be used to justify or prohibit the use of weapons capable of mass destruction. In Sunnism at least, the earliest legal theorists writing formatively on the topic of *jihad* related to the topic of war had themselves fought to expand Muslim territory into Byzantium, and were more inclined to view war as a "religious duty",⁴⁹¹ and include narrations which reinforced the normalisation paradigm. The outcome, however, was that normalisation soon became equated with the more militant vision of Shaybani's *al-Harb/al-Islam* distinction. "These scholars were transformed by their followers into saints, which in return empowered their militant vision of jihad and established it as mainstream dogma in Islamic religious thought".⁴⁹² This distinction is moreover compounded by the Shi'i reliance on *ahadith* transmitted through the Imams rather than companions of the Prophet, or jurists working in the court of a caliphate: "whereas Sunni legal schools follow the juridical opinions of some jurisconsults of Medina and Iraq, Shi'is [sic] follow the opinion of their Imam".⁴⁹³

Nevertheless, certain readings of *ahadith* by contemporary Iranian scholars have also resulted in combative doctrines of *jihad* where it would seem that conventional normative limits of

⁴⁹¹ Suleiman A. Mourad & James E. Lindsay, *The Intensification and Reorientation of Sunni Jihad Ideology in the Crusader Period: Ibn 'he Int of Damascus (1105–1176) and His Age, with an Edition and Translation of Ibn 'of Damas The Forty Hadiths for Inciting Jihad*, 2013, Leiden: Brill, 2013, pp. 24-25.

⁴⁹² Ibid, p. 25.

⁴⁹³ Hossein Modarressi Tabataba'i, *An Introduction to Shi'i Law: A Bibliographical Study*, Reading: Garnet Publishing Ltd., 1984, p. 2.

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warfare would not apply. Ali Rahnema for instance has highlighted how Ayatollah Mesbah Yazdi conceives a new category of *jihad* – ‘preventative *jihad*’: a pre-emptive category wherein it is permissible to wage war “in defence of “religious and human values””,⁴⁹⁴ and has done so by referring Imam Hussein’s example.⁴⁹⁵ Other views espoused in Shi’ism by the Imams seem to point to acquiescence to the practical need of government as a first and foremost priority, with all ethical considerations being secondary to this basic need. Ibn Taymiyah even draws upon a hadith where the first Shi’i Imam is asked about the need to follow a leader who is unjust, to which he is said to have responded: “[because] thanks to it, highways are kept secure, canonical penalties are applied, holy war is fought against the enemy, and spoils are collected”.⁴⁹⁶

Third Level of Analysis: Theology

In addition to these two levels (Qur’anic ontology, secondary sources) is theology, the third level of analysis of sources for strategic preferences emerging from within an Islamic episteme. Following the death of the Prophet, supporters of Ali’s claim to leadership of the *ummah* disputed a number of claims made Abu Bakr and his supporters. Among the most prominent was that the Prophet had not designated a successor, and that given this omission his successor should be elected.⁴⁹⁷ Shi’a not only reject the suggestion that the Prophet did not appoint a successor on historical grounds.⁴⁹⁸ They also reject this notion with reference to

⁴⁹⁴ Ali Rahnema, *Superstition as Ideology in Iranian Politics: From Majlesi to Ahmadinejad*, Cambridge: Cambridge University Press, 2011, p. 95.

⁴⁹⁵ Ibid, pp. 94-95.

⁴⁹⁶ Hamid Enayat, *Modern Islamic Political Thought: The Response of the Shi’i and Sunni Muslims to the Twentieth Century*, London: I.B. Tauris, 2009, p. 12.

⁴⁹⁷ Crooke, *Resistance*, p. 97.

⁴⁹⁸ They point to a speech made by the Prophet in 632AD, where – while holding Ali’s hand – he designated him as ‘master’ of all of those whom he was ‘master’ over. For more on the Shi’i view of this event, see Muhammad Hussein Tabataba’i (Tr. Muzhgan Jalali), *Islamic Teachings in Brief*, London: Imam Ali

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the nature of revelation, posing the following question to their Sunni brethren: if the Prophet was infallible, how could he have left the *ummah*'s future – whether defined in security, prosperity or spiritual terms – in the hands of the fallible masses? Would the final Prophet of Abrahamic monotheism allow for power to be handed down regardless of a link between leadership and a divine mandate?

After the first four Caliphs, Sunnis of varying ethnic and theological dispositions would go on to hold a monopoly over the political and military affairs of Muslim lands which would extend well into Europe, Asia and Africa. With the exception of the 'Shi'i Century' (10th-11th centuries), and up until the consolidation of the Safavid dynasty in 16th century Iran, Shi'a existed largely as an insecure persecuted minority sect on the fringe of different ruling Sunni dynasties. All but one of the Twelve Imams was murdered, and Shi'a believe that all but two were martyred on the orders of various Caliphs.⁴⁹⁹ Adherents of Shi'i Islam were routinely mistreated and killed for their beliefs, subjected to the charge of apostasy; so much so that, as Heinz Halm notes, the prototypical Shi'i bore the motif of the "the quietly enduring martyr".⁵⁰⁰ A far cry from the orientalist Shi'i penchant for martyrdom caricature, Shi'i theology has traditionally underscored martyrdom in a far less triumphalist context – one of loss, waiting and salvation, and not necessarily of uprising or revolution, and certainly not in the cause of military expansion. Some of the personalities revered today among many Sunnis as Islam's most gifted military leaders – such as Khalid ibn Walid and Salah al-Din Ayyubi – are charged by Shi'a with forced conversion, looting, killing non-combatants, and other

Foundation and Representative Office of Grand Ayatullah Seyed Ali Al-Hussaini Al-Sistani, 1998, pp. 94-94; 'Allamah Tabataba'i, "The Imams and the Imamate", in Seyyed Hossein Nasr, Hamid Dabashi and Seyyed Vali Reza Nasr (eds.), *Shi'ism: Doctrines, Thought, and Spirituality*, New York: State University of New York Press, 1988, pp. 159-160.

⁴⁹⁹ Pierce, *Twelve Infallible Men*, p. 3.

⁵⁰⁰ Heinz Halm (Tr. Allison Brown), *Shi'a Islam: From Religion to Revolution*, Princeton: Markus Wiener Publishing, 1997, pp. 131-132.

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crimes against those who opposed or resisted the Caliph.⁵⁰¹ Alastair Crooke also notes that the Sunni acquiescence to hereditary power in Islam, divorced from the requirement of divine appointment – all in the name maintaining order and the security of Muslim lands – resulted in a social compact “shunned” by Shi’a.⁵⁰² It is for this reason of having separated *jihad* from the precondition that it be conducted ‘for the sake of God’ (*fi sabilillah*) rather than temporal gain that Ayatollah Taleghani writes that “in the time of the Umayyad caliphs, just as everything connected with Islam was deformed, jihad was deformed”.⁵⁰³

While both Shi’a and Sunnis would therefore share a basic existential interest in the ‘security’ of Muslim lands from potential external threats, both the status-quo and military expansion of Muslim territories served the interests of Sunnis more so than they did Shi’a.⁵⁰⁴ As John Kelsay points out,

Sunni theorists developed and presupposed a particular interpretation of the Qur’an, which may be read, at least in part, as an apologia for the conquests of the mid to late seventh century [...] [a] scholar such as al-Shaybani thus presupposed the connection of Islam with an imperial state and its power.⁵⁰⁵

⁵⁰¹ Khalid ibn Waleed is believed by the Shi’i to have murdered the tribal chief Malik ibn Nuwayrah, and then raped and married his wife Layla bint al-Minhal. The Sunni historian al-Tabari records that Umar was so enraged at Khalid’s actions that he referred to him as an “enemy of Allāh” for having “killed a Muslim man and then leap[t] upon his wife”, and intended to stone him to death over the crime. (Abu Ja’far Mohammad ibn Jarir al-Tabari (Fred M. Donner), *The History of al-Tabari, Volume X: The Conquest of Arabia*, New York: State University of New York Press, 1993, p. 104) Shi’i historians also regard Salah al-Din as having forcibly converted Fatimid Egypt to Sunnism at a time when al-Azhar had been one of the few centres of Shi’i learning.

⁵⁰² Crooke, *Resistance*, p. 97

⁵⁰³ Taleghani, *Society and Economics in Islam*, p. 85.

⁵⁰⁴ It is even held, in the case of the Ismaili Fatimids, that this dynasty had provided some assistance to the Crusaders in the retaking of Jerusalem at the First Crusade. See Maher Y. Abu-Munshar, “Fāṭimids, Crusaders and the Fall of Islamic Jerusalem: Foes or Allies?”, *Al-Masāq: Journal of the Medieval Mediterranean*, Vol. 22, No. 1, 2010, pp. 45-56.

⁵⁰⁵ Kelsay, *Islam and War*, p. 60

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As a consequence, a large body of Sunni military jurisprudence was the by-product of an alignment of Islamic law-making with the material interests of the state, and an intimate relationship between Islamic knowledge-production and empire. Efforts at creating a social compact between believers and the state after the death of the Prophet required that Sunni jurists construct a body of law which assumed the necessity of a robust rather than ‘just’ political authority, and this trickled down into expectations of the individual believer at times of war and peace. In this regard, Mairaj Syed argues that a “systematic” legal doctrine of war in Islam emerged only after the death of the Prophet Mohammad, and specifically in the context of empire building:

It would be no stretch to describe the attitude of entitlement to power and conquest produced by the rapid imperial expansion as a Muslim Manifest Destiny. Put simply, the context in which Sunni religious scholars undertook the systematic elaboration of jihad as a legal doctrine was substantially different from the context that produced the Divine texts on which they relied. The imperial success of the Muslims following Muhammad’s death no doubt informed the direction and substance of the construction of a systematic approach to warfare.⁵⁰⁶

It is in this context that, traditionally, centuries of military conduct which served the imperial expansion of Muslim territorial boundaries, but resulting in the abrogation of Islamic law or innovation of newer, more pragmatic laws, have until fairly recently been formally rejected within Shi’ism.

Contrary then to what is often assumed about the religious roots of the Islamic Republic of Iran’s expansionist aims, especially in the context of modern Sunni Arab fears of an

⁵⁰⁶ Mairaj Syed, “Jihad in Classical Islamic Legal and Moral Thought”, in Jacob Neusner, Bruce D. Chilton, R.E. Tully (eds.), *Just War in Religion and Politics*, Lanham: University Press of America, 2013, pp. 137-138.

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emerging ‘Shi’i Crescent’,⁵⁰⁷ or what is misconstrued from Vali Nasr’s ‘Shi’i revival’ thesis,⁵⁰⁸ the Shi’a have traditionally viewed security in a much more local rather than expansionist or imperialist context. This theology shaped the Shi’i identification of referent objects of security, and in turn had an impact on the articulation of formative military jurisprudence in Shi’i sources concerning weapons capable of mass destruction. Once consolidated as formal legal parameters, they would prove hegemonic until the emergence of the Safavid state, and – as will be examined in-depth later on – the rise to power of Khomeini and his vision of *wilayat al-faqih* for the 20th century.

Referent Objects of Security and Securitising Actors in Shi’ism

When considered together, these three levels provide a non-secular analytical framework for understanding Islamic ‘referent objects’ of security: “things that are seen to be existentially threatened and that have a legitimate claim to survival”.⁵⁰⁹ This framework can help trace referent objects in terms of what they are, and how they emerge, consolidate themselves and change over time, and the significance of these processes for understanding Iranian strategic preferences today, and whether or not Iran could – consistent with the religious convictions of its leaders – develop nuclear weapons in the future. Equally, it can help with qualifying the agency of the *ulama* as ‘securitising actors’, those capable of “[securitising] issues by declaring something – a referent object – existentially threatened”,⁵¹⁰ and exercising pragmatism from within ‘Islamic’ epistemic parameters.

⁵⁰⁷ For details (and criticism) of this perception in Arab countries, see Kayhan Barzegar, “Iran and the Shiite Crescent: Myths and Realities”, *Brown Journal of World Affairs*, Vol. XV, No. 1, Fall/Winter 2008, pp. 87-99.

⁵⁰⁸ Vali Nasr, *The Shia Revival: How Conflicts within Islam Will Shape the Future*, New York: Norton, 2006.

⁵⁰⁹ Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis*, Boulder: Lynne Rienner Publishers, 1998, p. 36.

⁵¹⁰ *Ibid*, p. 36.

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One of the earliest referent objects of security for Shi'a was the Shi'i community itself, in contrast to Sunnis conceiving a grander referent object of the caliphate or wider '*ummah*'. Notably, it was in securing a more local referent object that basic Islamic practises could be abandoned if one feared for their life or the lives of other believers at the hands of a tyrannical government. In contrast, securing the larger and more substantive referent object of the caliphate could not be used to justify the temporary abrogation of Islamic laws, including those pertaining to military affairs. It has been established that clerics had played an integral role in legitimising the spread of Islam outside of the Arabian Peninsula, at times using military means. The most urgent issue facing the Shi'a, by contrast, was its very own survival, and the preservation of its belief system. It is in this context that there were far fewer incentives for the Shi'a to preserve the status-quo, or to promote theological discourse that excused certain questionable military tactics in the name of the Islamic 'state'.

As an early act of self-preservation, the Shi'i community sought to secure itself as a referent object by way not of modern military technology or deterrence, but rather a concept rooted in the Qur'an known as *taqiya* – dissimulation. This practise enabled the Shi'a who feared persecution to adopt the motions of Sunni-Islamic practise as a means of concealing their identity. The principle of *taqiya* gained specific resonance in the Shi'i community as its principle mechanism of survival against increasingly powerful and hostile governments which viewed them as 'rejecters of the faith' (*rafidah*). Such was its importance to the existence of the Shi'i community – and to the belief system of the Shi'a – that the Sixth Imam Ja'far al-Sadiq is narrated as saying "[d]issimulation is the shield (*turs*) of the believer. Dissimulation is the refuge (*hirz*) of the believer. Whoever does not practise dissimulation has no faith (*imān*)".⁵¹¹ In this latter regard – and in contrast to the crude account of *taqiya* surveyed in Chapter Three – the practise was in its earliest incarnation a mechanism for

⁵¹¹ Newman, *The Formative Period of Twelver Shi'ism*, p. 157.

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protecting intangible referent objects of security, and not transient foreign policy interests only nominally rooted in an appeal to ‘self-preservation’.

The historic tendency towards introversion and a limited, local definition of security (i.e. the Shi’i community) is in another sense derivative theologically from a lingering preoccupation within Shi’ism over “the difference between abiding by the laws of ... [an] Islamic government and obedience to laws whose legitimacy and credibility are only supported by majority will”,⁵¹² especially during the era of the “greater” occultation (*al-ghayba al-kubra*).⁵¹³ For the most part of Islamic history, this rendered both Shi’ism and Sunnism doctrinally irreconcilable with one another on many issues related to the governance and legal administration of the Muslim community: “two parallel orthodox perspectives of Islamic revelation”.⁵¹⁴ Hamid Enayat regards the historic Shi’i rejection of the notion that majority or popular opinion – the ‘general will’ – is an adequate source for Islamic law or governance as the sect’s “most outstanding feature”.⁵¹⁵ It was not enough to claim just authority over the *umma*h with a promise to safeguard their protection, nor by pointing to the general will. One must be divinely appointed either explicitly as a successor to the Prophet, or implicitly as a representative of such an authority.

A corollary to this view is that, historically, the Shi’a have viewed only the Prophet and Twelve Imams as possessing an explicitly legitimate mandate to act as securitising actors

⁵¹² Mohammad-Taqi Mesbahi Yazdi (Tr. Mansoor Limba), *Islamic Political Theory: Volume I (Legislation)*, Tehran: Etemad Press, 2011, p. 269.

⁵¹³ The occultation refers to the period of *al-ghayba al-kubra*, a time stretching from 940 AD until the present day, where the Twelfth Imam is hidden from the earthly plane, the Muslim community awaits his return. Since 940 AD, Shi’i scholars, philosophers, theologians and jurists have debated amongst themselves regarding how society should operate in the absence of this rightful, divinely appointed sovereign.

⁵¹⁴ Hamid Algar, “Shi’ism and Iran in the Eighteenth Century”, in T. Naff and R. Owens (eds.), *Studies in Eighteenth Century Islamic History*, London: Feffer & Simon, 1977, p 288.

⁵¹⁵ Enayat, *Modern Islamic Political Thought*, p. 19.

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with the authority to declare both offensive as well as defensive *jihad*. Regarding the specific prerogative to declare offensive jihad - *jihad al-talab* – it is notable that even in recent history Twelver scholars avoid claiming this authority. When Khomeini refers to *jihad* in a contemporary setting, he refers specifically to defensive rather than offensive *jihad*. For instance, he states that he refuses to give “the order for sacred jihad” as a response to an army’s assault on Iranians in Gorgan and Gunbad-e Qabus, in spite of his acknowledgment that there was an apparently strong justification for doing so.⁵¹⁶ Lotfollah Safi Golpayegani similarly provides an argument that offensive *jihad* as only permissible in the presence and under the command of the Twelfth Imam,⁵¹⁷ and only considers defensive *jihad* – “defending the heart of Islam and honor of the Muslims [...] repelling the enemies’ attacks from the Islamic borders [...] a general obligation”.⁵¹⁸

Following the will of any other securitising actor, or subjecting security policy to the will of the majority can – in the classical Shi’i view at least – lead Islamic societies to enact policies that are in diametric opposition to divine will. These policies cannot be considered ‘Islamic’, and therefore their outcomes can only be considered detrimental to legitimate ‘referent objects’ of security, and ultimately the interests of the Muslim community. In a more basic sense, rule of the majority “is too weak to be presented as an alternative to comprehensive religious, moral and philosophical doctrines”.⁵¹⁹

It is precisely these higher and narrower criteria of legitimacy for those that are permitted to define the ‘security interests’ of the Shi’a (and consequently, the actions that can be taken in

⁵¹⁶ Ruhollah Khomeini, “Martial Law is Contrary to the Shari’a”, in Algar, *Islam and Revolution I*, p. 261.

⁵¹⁷ For an exposition of this consensus among the Shi’a, see Mohammad Ali Amir-Moezzi, *An Absence Filled with Presences. Shaykhiyya Hermeneutics of the Occultation*, in Rainer Brunner and Werner Ende (eds.), *The Twelver Shia in Modern Times: Religious Culture and Political History*, Leiden: Brill, 2001, p. 48.

⁵¹⁸ Golpayegani, *Discussions Concerning Al Mahdi*, p. 22.

⁵¹⁹ Ahmed Vaezi, *Shia Political Thought*, London: Islamic Centre of England, p. 171.

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their name) that endows the views of anyone believed to be the ‘just ruler’ – or governing on their behalf (such as the *wali al-faqih* in Iran today) – with deeper, unseen ‘Truth’. Recalling the question of succession analysed in the previous section, we are reminded that disputes over the qualification of succession were based as much on esoteric beliefs about revelation and the Qur’an as they were on rational arguments. The majority of Twelver Shi’a believe that although the exoteric content (*ẓāhir*) of Qur’anic ontology is clear and authentic (and has remained as such since it was first revealed to the Prophet), its esoteric meaning (*bāṭin*) has been either misunderstood or deliberately concealed. In this context, the Prophet himself and a succession of Twelve Imams – and only those of closest spiritual proximity to these figures – are the only figures capable of discerning this more mystical inner truth of the Qur’an by the Shi’a. As such, any parallel claims to authoritative interpretation can only be considered false.

It would be perhaps an over-simplification, though by no means wrong, to say that Shī’ism propounds [batin, ta’wil, haqiqat], while Sunnīsm is mostly associated with their opposite. But the division does represent a sharp breach between those Muslim intellectuals who remain firmly committed to theosophy (*’urafā*), and those well-versed in juridical sciences and formalistic casuistry (*fuqahā*).⁵²⁰

Today, there are a plethora of arguments offered by Shi’i *ulama* in support of clerical involvement in managing the political – and ultimately military – affairs of Muslims, particularly during the period of occultation of the Twelfth and Hidden Imam. These arguments frequently attest to a belief in Shi’ism that “without esotericism exotericism loses its meaning”.⁵²¹ These arguments rely simultaneously on Qur’anic ontology, secondary

⁵²⁰ Enayat, *Modern Islamic Political Thought*, p. 22.

⁵²¹ Mohammad Ali Amir-Moezzi, *The Divine Guide in Early Shi’ism: The Sources of Esotericism in Islam*, New York: State University of New York Press, 1994, p. 126.

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sources, and a more mystical theology of revelation and ‘Truth’ that they believe point both towards an intrinsic leadership function of the ‘most learned’ (namely, the *ulama*) in the absence of the Twelve Imams, and ultimately the authoritative status of their opinions related to military jurisprudence. Speaking to his companion Kumayl ibn Ziyad, the first Shi’i Imam Ali ibn Abi Talib is narrated as having said the following:

The people are of three kinds: the divine scholar, those who seek knowledge and tread the path of salvation, and the rabble [*hamraj ra’ā’*] who follow every crowing creature, never partaking of the light of knowledge, never relying on a solid base.⁵²²

Since the Islamic Revolution of 1979, such narratives of religious authority have dominated Qom’s seminaries and provided a scholarly backbone to the case for *wilayat al-faqih* in Iran.

Yet early on in Islamic history, when the formative views and opinions within Shi’ism and Sunnism concerning warfare and the ‘state’ were being made, this view had encouraged a distinct quietism in Shi’ism that precluded extended commentary on military or stately affairs. By conceiving the ‘just ruler’ early on, weapons of warfare were perceived to be in the hands of what were ‘unjust’ usurpers of rightful spiritual and ultimately political authority. Shi’i opposition to the structures of religious, political (and ultimately military) authority set up under the Umayyad dynasty provides evidence against the essentialist view of Shi’i Islam as being a ‘religion of protest’,⁵²³ naturally inclined to acts of revolutionary defiance against tyrannical or oppressive powers.⁵²⁴ This remains true in the modern age, as attempts at projecting Shi’ism as being intrinsically opposed to temporal political authority reflect a deep Eurocentrism which considers “the intrinsic fusion of Islam and politics” as

⁵²² Ibid, p. 20.

⁵²³ For an example of this view, see Dabashi, *Shi’ism*.

⁵²⁴ As Kamran Matin points out, Shi’ism has to an extent a “collaborationist legacy in spite of its apparent doctrinal rejection of all temporal powers”, rooted in circumstances of marginality as well as millenarianism. Matin, *Recasting Iranian Modernity*, p. 124.

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“inhibitive of modern secular state formation”,⁵²⁵ and ultimately contradictory to many areas of Iran’s foreign policy-making and defence policies latently characterised as ‘realist’.

Early opposition to this dynastic rule and the imperial conquests undertaken in the name of Islam hinged more significantly on an important theological debate inside Shi’ism regarding the place of the ‘just ruler’. The social construction of the ‘just ruler’ within Shi’ism would legitimise a multitude of different political stances and military postures among the transnational Shi’i community, often with implications for how they viewed the necessity of protecting the state or nation. Such a view led the Imams to reject the legitimacy of numerous wars undertaken by successive caliphs, which they regarded as being driven by worldly motivations rather than divine guidance.⁵²⁶ Abdulaziz Sachedina determines as follows:

[t]he original purpose of *jihād* [...] according to the Imamites, was not preserved under the caliphate. What had caused the *jihād* to drift away from the Qur’ānic purpose was the coming to power of unjust and unrighteous authority claiming to undertake *jihād* in the name of God. Of the two main purposes of *jihād* – namely, to call upon the people to respond to God’s guidance, and to protect the basic welfare of the community – the first purpose, according to all the Imamite jurists, required the presence of *al-imām al-‘ādil* or the person deputized by such an authority. This was to guarantee that *jihād* against unbelievers was undertaken strictly for the cause of God.⁵²⁷

The most foundational questions in Shi’ism related to *jihad* therefore invoke a deeper concern over whom has the legitimate authority to declare war, and which individuals were capable of discerning proper military conduct where both the Qur’an and *ahadith* are silent. This would later set the terms on the permissibility of *jihad* and laws aimed at moderating it.

⁵²⁵ Ibid, p. 124.

⁵²⁶ Abdulaziz Abdulhussein Sachedina, *The Just Ruler (al-sultan al-‘adil) in Shi’ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence*, Oxford: Oxford University Press, 1988, pp. 109-110.

⁵²⁷ Ibid, p. 110.

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The second referent object of security contained in Shi'ism is therefore found in the mandate of the Imamate itself, and all juridical, political and esoteric authority claiming to derive from it. As we will see in Chapter Five, this referent object is far more conducive to a broader definition of what needs to be secured, such as a caliphate or a state. Within such a view, protecting the security of the state can in some instances align naturally with protecting the Imamate or 'just ruler', but only if certain conditions are met.

Pragmatism in Islamic Law: Usul al-Fiqh and Maslahah

We have so far established a non-secular framework for understanding the origins of Islamic referent objects of security located in Shi'ism. Here Qur'anic ontology, secondary sources and theology overlap in the construction of a number of referent objects – such as the Shi'i community itself, or divine mandate – which must be protected by any means necessary. We will examine in Chapter Five how these referent objects can be cited in order to legitimise certain 'extraordinary' policies towards nuclear weapons and other WMD which could result in the partial or complete abrogation of specific Islamic laws, but that these referent objects are defined and are reconstructed on their own terms. We will now move on to applying this analytical framework in assessing one of the primary mechanisms permitting military jurisprudence to be more flexible than either orientalism or realism would suggest: *maslahah*.

On a very basic level the chronology of a *fatwa* is straightforward: recourse to the individual interpretation of a scholar (*ijtihad*) occurs only when there is a lack of specific ordinance found within either Qur'anic ontology or secondary sources. In cases where there are no clear precedents set in these primary sources, encounters with modern 'innovations' (*bid'ah*) are evaluated through reference to the secondary principles of jurisprudence (*usul al-fiqh*) in assessing whether they are permissible or not. Though not recognised by all schools of Islamic jurisprudence, secondary principles of *usul al-fiqh* include:

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- consensus of the scholars (*'ijma*),
- individual discretion (*istihsan*),
- expediency (*maslahah*),
- *ijtihad*,
- inference (*istidlal*), and
- local custom (*'urf*).

In addition to these sources is the methodology of *qiyas*, which is the use of analogical reasoning based around similar precedents found in Islamic source.⁵²⁸ More general principles which influence Islamic law include the rule that all things should initially be assumed permissible unless stated impermissible in primary or secondary sources.

The Shi'a narrow these categories down to two secondary categories which complement the Quran and Hadith – *'aql* (reason) and *'ijma*. Although Shi'i jurists have for centuries rejected the use of *qiyas* as a secondary source in the case that a specific legal definition cannot be found within primary sources, they believe that *kalam* – juristic discourse – fulfils the requirements of a secondary source under both categories of *'aql* and *'ijma*. In practise this means that while jurists of the Twelver Shi'i school do not believe that modern challenges can be met by appealing to logical precedents found in similar cases, they do believe that a reasoned debate and discussion among the *ulama* can reveal the legal standing of a given issue. Given these views on the distinction between *kalam* and *qiyas* in classical Twelver-Shi'i legal theory, one cannot therefore use the Prophet's authorisation of the use of trébuchets as definitive evidence for ballistic missiles being Islamically permissible today. However, and especially within more modernist Shi'i paradigms of Islamic law (such as that

⁵²⁸ Sami Zubaida, *Law and Power in the Islamic World*, London: I.B. Tauris, 2005, p. 11.

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associated with contemporary theologian Mujtahid Shabistari),⁵²⁹ it is sufficient for a scholar to arrive at the conclusion that ballistic missiles are permissible through reasoned, informed and ‘innovative’ discourse (*kalam*) and *ijtihad* which may involve some reference to logical precedents.

Much like *qiyas*, *maslahah* is not viewed as a ‘source’ of Islamic law by either Sunni or Shi’i schools, but rather a mechanism for deliberating on matters in light of considering some notion of ‘public interest’. Both the individual agency of the scholar and the social-construction of threat/the threatened are here essential factors that underpinning Islamic law-making. Identification of a ‘public interest’ is itself being a subjective process, similar to the process of securitisation. If we choose to define *maslahah* as a derivative of the Arabic ‘al-Salah’ (‘wellbeing’), and as the opposite of ‘mafsada’ (‘harm’, or ‘pain’), then we are reminded that both concepts are subjective and “do not amount to scientific truths”.⁵³⁰ This leaves considerable scope for the jurist to identify referent objects of security – and the appropriate means for securing them – to Muslim societies. They are responsible for defining the extent of a particular harm (both in its qualitative severity and whether it impacts all Muslims or a particular subgroup), what this harm threatens, and the urgency with which it must be resolved.

Felicitas Opwis postulates that while early Muslim jurists who began using the term *maslahah* in the 10th century derived it from the Maliki conceptual method of *istislah* – discerning what is ‘good’ and ‘beneficial’, “considerations of *maslahah* seems to have been

⁵²⁹ Ashk Dahlén, *Islamic Law, Epistemology and Modernity: Legal Philosophy in Contemporary Iran*, Oxford: Routledge, 2003, pp. 164-167.

⁵³⁰ Muhammad al-Mukhtar al-Salami, “Al-Qiyas (Analogy) and it’s Modern Applications”, *Eminent Scholars Lecture Series*, No. 15, Jeddah: Islamic Research and Training Institute, Islamic Development Bank, p. 80.

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part of the legal practice quite early on, even if not known by this technical term”.⁵³¹ Opwis points to the formative literatures on *maslahah* as evidence that this kind of legal deliberation therefore contained a political as well as theological dimension early on.⁵³² Among the first legal theorists to theorise the concept was the Persian scholar al-Juwayni, who argued that there could be preference for whatever was in the interest of the ‘public’ if the reasons for doing so were a) rationally clear and obvious (*amr daruri*); b) due to a need that is below that of urgent necessity (*haja ‘amma*); c) for noble reasons (*makruma*); for recommended reasons (*mandub*), or finally d) due to reasons that are beyond rational comprehension.⁵³³

Al-Ghazali, a student of al-Juwayni, is credited for retrieving *maslahah* “out of the realm of the otherworldly reward for the obedient believer” and transforming it into “an intelligible criterion that can be used as a means for legal change”.⁵³⁴ This allowed *maslahah* to depart from being merely a methodology of sole pertinence to the practise and well-being of the individual believer, and instead become a practical method for securing the greatest good for the greatest number within the boundaries of Islamic acceptability. Recourse to *mashalah* was predicated on the identification of certain categories of public interest, such as “accredited public interest”, and “interests [...] of no value if [...] not ordained by the All Wise Lawgiver” (i.e. God).⁵³⁵ As such, “not every quality that seems of benefit qualifies as a public interest (Maslahah), but only that which is deemed beneficial by the Lawgiver, and

⁵³¹ Felicitas Opwis, *Masaha and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century*, Leiden: Brill, 2010, p. 9.

⁵³² Ibid, p. 27.

⁵³³ Hayatullah Laluddin, Mohamad Nasran Mohammad, Zuliza Mohd Kusrin, Shofian Ahmad, Zaini Nasohah, Mohd. Zamro Muda, Md. Yazid Ahmad and Ahmad Muhammad Husni, “An Analysis of Maslahah’s Development Through al-Ghazali Pre and Post al-Ghazali Periods”, *International Business Management*, 6 (2), pp. 187-193, 2012, pp. 187-188; Opwis, *Masaha and the Purpose of the Law*, p. 50.

⁵³⁴ Opwis, *Masaha and the Purpose of the Law*, p. 58.

⁵³⁵ Muhammad al-Mukhtar al-Salami, *Al-Qiyas (Analogy) and its Modern Applications* [Tr. Mohammad Hashim Kamali], Eminent Scholars Lecture Series, No. 15, p. 81.

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wherein beneficence outweighs corruption”.⁵³⁶ Opwis cites the issue of prohibiting alcoholic drinks other than wine based on their inebriating qualities, as opposed to any other criteria, as an example of the kind of ‘interests’ that jurists had in mind when conceiving of *maslahah*.⁵³⁷

For our purposes, it is the more expansive and governance-centric form of *maslahah* related to warfare and the state, and the general provisions for expediency contained in various discourses prior to its emergence as a more or less formal legal methodology after the advent of al-Ghazali, which are of relevance to the contemporary use of the concept by Shi’i scholars. In recent times, the acceptance of *maslahah* by many Shi’i Iranian Muslim scholars – or conceptual division of Islamic laws into ‘fixed’ (*thabet*) and ‘changeable’ (*motaghayyer*) categories⁵³⁸ – has opened laws governing the use and non-use of weapons of mass destruction to definition through reference to precedents and methodologies set in Sunni sources. So prevalent is this tendency that Islamic scholars in Iran readily cite Sunni sources – even deeply problematic ones from the perspective of theology⁵³⁹ – as a foundation for arguments supporting official Iranian policy against WMD proliferation and use.⁵⁴⁰ Crucially

⁵³⁶ Ibid, p. 81

⁵³⁷ Opwis, *Maslaha and the Purpose of the Law*, p. 33. See also Sheikh Khalifa Ezzat, “The Notion of Maslahah in Western Literature”, School of Oriental and African Studies, University of London, April 2009, http://web.archive.org/web/20150219164510/http://www.exploreislaam.com/index.php?option=com_content&view=category&id=2&Itemid=235 [Accessed 18.06.16]

⁵³⁸ Yasuyuki Matsunaga, “Mohsen Kadivar, an Advocate of Postrevivalist Islam in Iran”, *British Journal of Middle East Studies*, Vol. 34, No. 3, Iranian Intellectuals (1997-2007), December 2007, p. 325.

⁵³⁹ See for example Ayatollah Mostafa Mohaghegh Damad, who refers to the problematic – from the perspective of Shi’ism – narration that the Prophet changed his mind concerning the issue of whether or not to sentence two men to death by fire, and forbade the form of punishment after initially declaring it permissible. Mostafa Mohaghegh Damad, *Protection of Individuals in Time of Armed Conflict under International and Islamic Laws*, New York: Global Scholarly Publications, 2005, p 400.

⁵⁴⁰ There are inevitably practical limits to this Shi’i-Sunni ‘cross pollination’. Shi’i scholars tend to avoid citing Sunni scholars and hadith transmitters who appear hostile to Shi’ism or the Ahlulbayt, and specifically those who undermine traditional Shi’i accounts of important historic events (e.g. ‘Ashura, the dispute over Fadak, or Ghadir Khumm). Sunni compilers of *ahadith* such as Abu Huraira for instance are subject to extensive critique

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however, despite the transience of such laws, they retain a socially constructed lineage to divine mandate and status as ‘objective truth’ when reinforcing the opinions of the *wali al-faqih*. Though recently introduced into debates and commentary over Iran’s strategic culture as a framework for designing Islamic laws – or abandoning them – with the national interest in mind,⁵⁴¹ the concept of *maslahah* as it is conceived by Twelver Shi’i legal theorists reflects much more about how the actions of government, rooted in some reference to the security of the Muslim community, are able to retain their dogmatic stature through the proximity of *maslahah* to esoteric Islamic ‘truth’. It is here that Khomeini’s explicit outline of his expectations – as *wali al-faqih* – of how the Islamic Republic would be different to previous experiments with the nation-state is particularly revealing:

[w]e want “nationality” in the light of Islamic teachings. We will do anything for the Iranian nation only in the name of Islam [sic] not nationality [...] [defending] Islamic nations is an

discrediting the accounts they narrate, and their personal character (see for instance Yasin T. al-Jibouri, *Abu Hurayra and the Falsification of Traditions (Hadith)*, n.d.. Republished by *al-Islam* at <http://web.archive.org/web/20160425141916/http://www.al-islam.org/articles/abu-hurayra-and-falsification-traditions-yasin-al-jibouri> [Accessed 09.06.16]; Syed Abdul Hussayn al-Musawi Sharaf al-Din (Tr. Abdullah al-Shahin), *Abu Hurayra*, Qom: Ansariyan Publications, 2001; Sultanu’l-Wa’izin Shirazi (Tr. Hamid Quinlan and Charles Ali Campbell), *Peshawar Nights*, Qom: Ansariyan Publications, 2011, p. 97. The popular belief that Wahhabism represents a “delayed surfacing” of the legacy of ibn Taymiyah (Hamid Algar, *Wahhabism: A Critical Essay*, New York: Islamic Publications International, 2002, p. 9) means that Shi’i scholars also have to be cautious when engaging with this particular scholar’s ideas, despite his extensive commentary on military affairs.

⁵⁴¹ See for instance Shmuel Bar, “Iranian Defense Doctrine and Decision Making”, IDC Herzliya Institute for Policy and Strategy, 2004, p. 18; Hamid Ahmadi, “The Dilemma of National Interest in the Islamic Republic of Iran”, in Homa Katouzian and Hossein Shahidi (eds.), *Iran in the 21st Century: Politics, Economics & Conflict*, Oxford: Routledge, 2007, pp. 28-41; Seyed Hossein Mousavian and Mohammad Ali Shabani, “How to Talk to Iran”, the *New York Times*, 3 January 2013, http://www.nytimes.com/2013/01/04/opinion/how-to-talk-to-iran.html?_r=0 [Accessed 14.03.16]

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obligation. But it does not mean that we put Islam aside and cry for nationality and “pan-Iranism”.⁵⁴²

In short, *maslahah* as it conceived in Iran is not unique because it elevates the importance of the nation state above Islamic law, but rather due to the manner with which it is utilised to situate extraordinary action *within* an Islamic episteme as a ‘state of exception’. As we have already seen, the ‘public interest’ has traditionally been defined by the Imam of the time in Shi’ism, and connected to a divine mandate and infallible judgement. Indeed, one could argue that it was only through adapting the framework of *maslahah* to his revolutionary Shi’i theory of government that Khomeini could salvage the concept without the theological baggage of its Sunni legal parameters. The ‘greater’ occultation of the Twelfth Imam removed the physical embodiment of infallibility and divine authority from the temporal world. It was in this period of the occultation that multiple sources of juristic authorities emerged to fill the void and claim to legislate on behalf of the Twelfth Imam. This gave rise to competing interpretations of how the Shi’i community should conduct their lives – notably in the form of decrees, or *fatawa* – and the consolidation of Shi’i Islamic legal theory. Religious scholars in Qom now largely – although not completely – accept what had previously been a Sunni judgement that the expedient interest of the public or state could at times necessitate that otherwise disliked or forbidden acts could be undertaken in its defence: that the ‘worldly’ survival of the Muslim community must be considered a vital part of deliberations on the *shari’ah*. How a Muslim state should weigh “the sanctity of human life against the military

⁵⁴² Khomeini, cited in Mahmoud Darini (ed.), *Islamic Solidarity in Infra-National Thoughts of Imam Khomeini*, Tehran: Institute for Compilation and Publication of Imam Khomeini’s Works, 2007, p. 15.

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necessity of winning the war”⁵⁴³ has therefore since the 20th century been a dilemma for the Shi’a of Iran in the same way it was historically for Sunnis.⁵⁴⁴

By constructing a lineage from the *wali al-faqih* to the hidden Twelfth Imam, Ayatollah Khomeini’s doctrine of *wilayat al-faqih* retrieved *maslahah* from the purely subjective authority of jurists who popularised it through reconciling the mechanism with a divine mandate, consequently imbuing all decisions taken in the cause of protecting the Islamic Republic way with an esoteric higher ‘Truth’. Yet it is important to note that *maslahah* was not a completely alien concept to the Shi’a. Hamid Enayat, for example, has likened *maslahah* to *muqaddimah-e wajib* (obligatory preliminary). “Since the Shi’is [sic] refute *maslahah*, the concept of ‘obligatory preliminary’ is also a device to circumvent any objection to law-making for which there is no specific canonical license.”⁵⁴⁵ Furthermore, the “rule of correlation” (*qa idat al-mulazama*) dictates that “whatever is ordered by reason, is also ordered by religion”,⁵⁴⁶ and can also be said to resemble *maslahah* in some respects. This did not necessitate that reason could trump classical sources, but rather that reason was a primary avenue through which religious law is discerned and understood in lieu of explicit scriptural definition.

[I]n the area of moral obligations that were religiously ordained – as was the case with the duty of “enjoining the good and forbidding the evil” – there was recognition of the fact that it was reason upholding the general welfare of humanity that acknowledged the

⁵⁴³ al-Dawoody, *The Islamic Law of War*, p. 118.

⁵⁴⁴ Incidentally, centres of Sunni religious scholarship (such as al-Azhar University) have for the past century found their influence over political and military structures in the Muslim world wane as secular regimes seized control in the aftermath of the collapse of the Ottoman Caliphate, and the struggle for decolonisation after 1945.

⁵⁴⁵ Enayat, *Modern Islamic Political Thought*, p. 170.

⁵⁴⁶ Hossein Modarressi, “Rationalism and Traditionalism in Shi’i Jurisprudence: A Preliminary Survey, *Studia Islamica*, No. 59, 1984, p. 142.

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comprehensiveness of the religious ordainment by engaging in its interpretation and discovering all the principles necessary to make it relevant at a given time in history.⁵⁴⁷

In theological terms, the victory of the Islamic Revolution in Iran brought with it the enmeshment of Iran's own destiny with the destiny of the transnational Muslim community, and ultimately the future of Islam, allowing for the convergence of the legalistic concept of 'public interest' with Iran's own national interests, and ultimately the interests of the Shi'a as a whole. This totalising narrative lends meaning and legitimacy to the "Islamic leviathan"⁵⁴⁸ that Adib-Moghaddam identifies, but also allows it recourse to the same legal mechanism which buttress an otherwise antithetical theologies associated with Sunnism.

[T]he vali-e faqih, the Supreme Jurisprudent who sits on top of the intricate constitutional framework in Iran, is conceptualised, politically and theologically, as that link between the people and the transcendental.⁵⁴⁹

Wilayat al-faqih as it is implemented in Iran today equates obedience to the sovereign (i.e. *wali al-faqih*) with obedience to God's law. Likewise, disobedience to the sovereign is considered tantamount to waging war against the authority of the Twelfth Imam and ultimately God. When a charge of *moharebeh* – 'enmity against God' – is levied at an individual by virtue of disobeying legislation within the Islamic Republic, the charge does not mean to imply that legislation passed under the auspices of Khamenei or any other Supreme Leader carries literally the same authority as the word of God, but instead that to disobey the sovereign in the Islamic Republic (while the occulted Twelfth Imam has implicitly devolved his own authority to the Guardian Jurist) amounts to waging war against the Imamate, and ultimately Allah. This has enormous implications for the way that expediency and

⁵⁴⁷ Sachedina, *The Just Ruler in Shi'ite Islam*, p. 144.

⁵⁴⁸ Adib-Moghaddam, *Metanarrative*, p. 158.

⁵⁴⁹ Ibid, p. 256

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pragmatism are viewed inside of the Islamic Republic's highest centres of decision-making, as well as the military. As with the earliest scholars of *maslahah*, the definition of public interest can be linked to mystical as well as material concerns, and it is often that these definitions inform one another. As such, we may view Khomeini's acquiescence to the large Iranian death-toll resulting from attempts to take swathes of territory with ill-equipped but numerically superior troops not simply as a calculation based neither on cold realism or fanatical Islamism, but instead infused with a more mystical reading of Iran's place in history, and his own belief in the broader significance of his office.

Now that we have established an analytical framework for understanding strategic preferences, we may proceed to analysing precedents drawn from Islamic history concerning weapons capable of mass destruction. These precedents are relevant to our understanding of how threat is socially constructed in Islamic discourse, and our goal of conceiving of an alternative approach to assessing the structural relationship between *fiqh* in Iran and contemporary policies towards nuclear weapons and other WMD. In the process of examining these precedents, we will observe the fluid relationship between Islamic ethical and moral frameworks for participating in war – as outlined in *fiqh* – and the expedient interest of protecting the Muslim community existentially at times of war.

Cases: Weapons, Tactics, and Strategies Capable of Mass Destruction

It was noted previously that the sheer scale of indiscriminate destruction and human suffering nuclear weapons can cause is unprecedented in the history of military technology. As such, there are no exact parallels to be found in military technologies confronted in Qur'anic ontology, secondary sources, or Islamic theology. Nevertheless, Muslim scholars of varying schools of thought have throughout history had to weigh up the supposed benefits of using weapons, tactics and strategies capable of causing mass destruction (as well as strategies and

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tactics with the potential cause mass destruction more generally), against ethical and legal parameters set by Islam. Certain tactical and strategic doctrines of warfare, and weapons themselves which have been addressed from within these parameters, offer important insights into contemporary theorisation concerning what strategic preferences towards nuclear weapons could look like today in Iran if the *ulama* has an impact in this area, and how best to read the *fatawa* surveyed in Chapter Two. This compels us to consider historical justifications for and against the use of weapons, tactics and strategies associated with mass destruction, and how these arguments hinged on the social-construction of ‘threat’ and ‘threatened’, often with some reference to the notion of ‘public interest’ in the identification of a referent object of security.

The first basic characteristic associated with nuclear weapons as a revolutionary military technology is the indiscriminate destruction they cause. In the case of ‘strategic’ nuclear weapons designed to target populations, critical infrastructure and industrial centres in addition to explicitly military targets, it is extremely difficult to avoid the infliction of substantial collateral destruction (whether calculated in human lives, property, the environment, etc.). Within a realist paradigm (as surveyed in Chapter Three), it is the indiscriminate impact of nuclear weapons which endows them with their deterrent value, and forces states – through fear of massive destruction – to act rationally and predictably in the atomic age (e.g. through developing their own deterrent weapons, or by not using their existing weapons in fear of reprisals). In the context of two or more nuclear-armed states, “[t]he very fact that war could be total in the sense of destroying both sides means that the conflict of interest cannot be total.”⁵⁵⁰

⁵⁵⁰ Robert Jervis, *The Meaning of the Nuclear Revolution: Statecraft and the Prospect of Armageddon*, New York: Cornell University Press, 1989, p. 15.

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These particular ethical dilemmas presented by nuclear weapons – concerning overall destructiveness, and ultimately culpability and collateral damage – are addressed thoroughly in *fiqh* at all levels of analysis. We have observed in previous sections injunctions expressed in Qur’anic ontology, secondary sources and in theological accounts – some explicit, others not – against the killing of non-combatants (especially women, children and the elderly) during battle. At the same time there are also some more pragmatic assessments derived from the levels of secondary sources and theology which tolerate mass destruction and collateral damage in certain circumstances. While some of these assessments stem from the explicit acceptance of non-combatant deaths in securing a strategic objective, others stem from practical concern of the difficulties in distinguishing between combatants and non-combatants. As Algar highlights, “[e]ven in classical times [...] it was not always possible to maintain rigorously the distinction between combatants and non-combatants and to protect the latter from harm”.⁵⁵¹

The differing views over how to accommodate outwardly conflicting accounts of the *sunnah* of the Prophet regarding the use of surprise military attacks at night (*ghārāt layliyyah* or *bayāt* in Arabic) within explicit prohibition of initiating battles contained in Qur’anic ontology are demonstrative of the problems associated with reducing Islamic military jurisprudence (and other religious discourse in this area) to an essentialised dogma. These kinds of attacks were initially deemed prohibited due to the difficulty in distinguishing between combatants and non-combatants – not to mention friendly fighters and the enemy – under the cover of darkness. Anas ibn Malik, a companion of the Prophet, narrates an account stating that even when the Prophet would arrive at the enemy’s territory at night, he would avoid surprise attacks and wait for the dawn before commencing battle.⁵⁵² Another *hadith*

⁵⁵¹ Algar, “The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*”, p. 192

⁵⁵² Cited in al-Dawoody, *The Islamic Law of War*, p. 119.

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however details an incident where the Prophet was asked if night attacks were permissible, given the accentuated danger of accidentally killing women and children by accident. Here he is said to have responded that although these casualties would be considered non-combatants, they were nevertheless from “them” (i.e. the enemy), suggesting that attacks in this scenario would be permissible.⁵⁵³ Subsequent to the Prophet, while the majority of Sunni scholars would permit *ghārāt layliyyah*, the Shafi’i position on the issue would remain consistent with Anas ibn Malik’s narrative: namely, that the Prophet avoided such attacks, and that they are therefore impermissible.⁵⁵⁴

Yet a contemporary Shi’i account reveals an alternative perspective, invoking simultaneously the ‘normalisation’ paradigm surveyed earlier in this chapter and the central logic of *maslahah*. Implying that the methods of *jihad* associated with the Prophet represented a quintessentially modern form of compartmentalisation (i.e. between ‘departments’ and involving separate planning), Muhammad Dhāhir Watr cites accounts from Ibn Hanbal, al-Bukhari, Abu Dawud, and al-Waqidi – all Sunni jurists, the last of which being Harun al-Rashid’s chief Islamic judge (*qadi*) – in arguing that the Prophet readily took part in night operations (such as the battles of Dhi al-‘Asheerah and Dumat al-Jundal) so long as use of this tactic could help Muslims gain a significant advantage over enemy forces.⁵⁵⁵ In a similar vein, traditions from classical Shi’i jurists such as Shahid al-Awwal point to night attacks being ‘*makrooh*’: disliked, but not forbidden.⁵⁵⁶ This amounts to some acceptance among the Shi’i of collateral damage as an inevitable part of war, and evidence of the dynamism of Islamic military jurisprudence based around regular calculation – in battle, if necessary – of

⁵⁵³ Al-Sa’b ibn Jaththamah, cited in *ibid*, p. 119.

⁵⁵⁴ *Ibid*, p. 119.

⁵⁵⁵ Muhammad Dhāhir Watr, *Military Management in the Battles of the Prophet (s)*, The Heritage International Inc., 2011. Republished online by *al-Islam*: <http://web.archive.org/web/20160314161446/http://www.al-islam.org/military-management-battles-prophet/departments-intelligence-and-security> [Accessed 12.06.16]

⁵⁵⁶ Algar, “The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*”, p. 192.

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the costs and benefits of conducting such an operation in securing an Islamic referent object of security.

Concerning culpability more specifically, there is a similar lack of consensus among various juristic accounts related to narrow versus broad definitions of who can within reason be killed at times of war. Certain sources have indicated that the Prophet authorised the execution of Duraïd ibn al-Simma, a strategic advisor to the enemy at the Battle of Hunayn, despite al-Simma being a centenarian and therefore not a direct participant of the battle itself.⁵⁵⁷ More conceptual discussions of culpability are often intertwined with some reference to ‘transgression’ (*tughyan*) in Islam: both in terms of Muslims not transgressing against Islamic laws, and how to respond against the transgression of Muslim boundaries (territorial, legal, or otherwise). In his commentary of a verse in Surah al-Baqarah, Mutahhari defines transgression in the context of the injunction that “God loves not those who transgress” as follows:

it is those who are fighting us that we are to fight and not anyone else, and that it is on the battleground that we are to fight, meaning that we are to fight with a certain group of people and that group is the soldiers that the other side have sent, the men of war whom they prepared for war with us and who are fighting us.⁵⁵⁸

He juxtaposes this definition of a combatant with that of a non-combatant:

⁵⁵⁷ Ibid, pp. 192-93.

⁵⁵⁸ Mortaza Mutahhari, cited in John Kelsay, ““Do Not Violate the Limit”: Three Issues in Islamic Thinking on Weapons of Mass Destruction”, in Sohail H.Hashmi & Steven P. Lee (eds.), *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, Cambridge: Cambridge University Press, 2004, p. 356.

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people who are not men of war, who are not soldiers, who are not in a state of combat, such as old men, old women – in fact all women, whether they are old or not – and children, we must not interfere and we must not do any of these other things that are counted as transgression.⁵⁵⁹

Mutahhari adopts the normalisation paradigm of warfare in order to simultaneously delineate a first category of people who cross a certain threshold, and therefore must be confronted militarily, but also in order to set out rigid legal obligations for Muslim forces to likewise not ‘transgress’ against an interlocked second category of people who – by not meeting the various criteria as the first category – are conceived as by definition non-combatants. While Mutahhari is unspecific in how this injunction should be applied practically when distinguishing between those who have transgressed and those that have not, his position would logically extent to a prohibition against strategic nuclear weapons, and certainly also certain biological and chemical weapons. Despite Mutahhari being specific in the military context within which he frames transgression, John Kelsay suggests that this commentary is better read as a polemic in support for what is constructed as a justly guided legal framework for war: “*jus ad bellum* and, in particular, on issues of right or competent authority”.⁵⁶⁰ What matters to Mutahhari here is the broader epistemic space within which ordinances or categories associated with military affairs can be ‘discerned’ from divine sources, by what are constructed as ‘competent’ authorities, and the formal recognition of this space as the boundaries of the *shari’ah*.

For different reasons the broad notion of ‘retaliation in kind’ – *qisas* – represents a principle concern within both the deterrence parameter and Islam. *Qisas* forms one of three pillars of

⁵⁵⁹ Mutahhari, in Ibid, p. 356.

⁵⁶⁰ Mutahhari, in Ibid, p. 356.

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criminal law within the *shari'ah*.⁵⁶¹ Its earlier origins lie in a pre-Islamic concept of *mumathala*: “repaying like with like”.⁵⁶² Both its validity and remit in Islam are underlined in the following verse of the Qur'an:

O, ye who believe! Retaliation is prescribed for you in the matter of the (unlawfully) murdered, the freeman for the freeman, the bondman for the bondman the woman for the woman; but if any remission is made (to any one) by his (aggrieved) brother then the recognised course be adopted and payment made to him in handsome manner.⁵⁶³

The principle of *qisas* within Islam originally aimed at resolving disputes between individuals and at the level of small communities, and more often than not related to individual murders. As Algar points out, *qisas* concerns individual rather than collective responsibility, and the Qur'an's statement that “no soul shall bear the burden of another” is viewed by some as supportive of this interpretation.⁵⁶⁴ This more local definition of *qisas* – as opposed to the notion of reciprocity in deterrence theory, calculated in terms of automaticity by military strategists – has been reinforced by the close involvement of victims and the aggrieved in the decision to enact this type of punishment.⁵⁶⁵ More broadly applied in Islamic military jurisprudence, we may find some support for the use of siege weaponry in retaliation to the similar use of these weapons by the enemy. The military commander Amr ibn al-Aas is said to have responded tit-tor-tat at the battle of Alexandria in 641CE; launching the severed

⁵⁶¹ The other two being *hudud* (higher offences outlined in the Qur'an, such as fornication or theft) and *ta'azir* (crimes which though similar to *hudud/had*, are not given explicit punishments in the Qur'an).

⁵⁶² Hans-Georg Ebert, “Developments in Law”, in Werner Ende and Udo Steinbach (eds.), *Islam in the World Today: A Handbook of Politics, Religion, Culture, and Society*, New York: Cornell University Press, 2010, p. 203.

⁵⁶³ Ahmed Ali (Tr.), *The Holy Qur'an*, p. 119.

⁵⁶⁴ Algar, “The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*”, p. 194.

⁵⁶⁵ See Susan Hascall's discussion of *qisas* as a form of restorative justice in Susan C. Hascall, “Restorative Justice in Islam: Should Qisas be Considered a Form of Restorative Justice?”, *Berkeley Journal of Middle Eastern & Islamic Law*, Vol. 4, 2011.

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heads of enemy soldiers as a reciprocate response to the Byzantines using this same tactic in order to inspire fear and terror.⁵⁶⁶ The concept of *qisas* has been utilised in the modern age by Sunni jihadi scholars to justify a range of collective punishments usually considered unlawful. They refer to, among others, the judgements of ibn-Taymiyah, ibn al-Qayyim and Abu Abdullah al-Qurtubi in support of an argument in favour of using the principle of *qisas* on the battlefield as a strategic deterrent:

if the disbelievers were to kill our children and women, then we should not feel ashamed to do the same to them, mainly to deter them from trying to kill our children and women again.⁵⁶⁷

Some of this type of Sunni discourse which legitimises the killing of civilians underlines the necessity of *qisas* on the battlefield (and beyond) through connecting it to a narrative wherein the Muslims exist in a state of weakness, forced to adopt otherwise prohibited military tactics such as suicide bombings or even using chemical or biological weapons⁵⁶⁸ as a last resort in an attempt to strike a blow against more powerful enemies,⁵⁶⁹ and is at times supported with reference to the Qur’anic verse that “Allah does not charge a soul except [with that within] its

⁵⁶⁶ Abu al-Qasim Abdul Rahman ibn-Abdel Hakam, *Futuh al-Masr* [English: Conquest of Egypt], Beirut: Dar al-Fikr, 1996, p. 88.

⁵⁶⁷ *At-Tibyān Fī Istihdāf An-Nisā’i Was-Sibyān: The Clarification Regarding Intentionally Targeting [sic] Women and Children*, at-Tibyan Publications, 2004, p. 81.

⁵⁶⁸ There is some indication that Wahhabi and Salafi oriented groups such as al-Qaeda adopting this narrative have sought chemical, biological and radiological weapons in the past. See Sammy Salama and Lydia Hansell, “Does Intent Equal Capability? Al-Qaeda and Weapons of Mass Destruction”, *Nonproliferation Review*, Vol. 12, No. 3, November 2005, pp. 618-621.

⁵⁶⁹ Riaz Hassan, *Life as a Weapon: The Global Rise of Suicide Bombings*, Oxford: Routledge, 2011, p. 186.

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capacity”.⁵⁷⁰ Practically, as was the case in post-2003 war Iraq, this came to overlap with an emphasis on ‘revenge’ attacks by Sunni insurgents.⁵⁷¹

These points of emphasis do not overlap with the narrative held by Shi’i-Iranian clerics in positions of influence today, notably because many of them largely view the Islamic Republic to be a legitimate Islamic state, and – as we will see in the next chapter – in fact do not accept a narrative of Muslims (or at least the Shi’a) as existing in a state of weakness. Among Shi’i scholars, there is no consensus for the systematic application of *qisas* to the battlefield context, and certainly not strategically in the form of a nuclear deterrence doctrine involving massive retaliation. Ayatollah Hossein Ansarian, founder of the Dar al-‘Irfan al-Shi’i research institute in Qom, highlights that after Muawiyah I had prevented Ali and his soldiers from drinking from the Euphrates in an attempt to make them die of thirst, Imam Ali did not retaliate in kind once he regained control of the river.⁵⁷² In the context of Iran and contemporary Shi’ism, unlike the concept of *maslahah*, there is little evidence suggesting that the concept of *qisas* has become more salient within Iran’s strategic and tactical doctrines after the Revolution. On the contrary, there seems to be more evidence suggesting that leading clerics refused to sanction ‘retaliation in kind’ during the Iran-Iraq war with specific regards to chemical weapons use.⁵⁷³ The seeming rejection of *qisas* would theoretically preclude Iran today from legitimising nuclear weapons on the basis of their use in retaliatory strategy.

⁵⁷⁰ Ahmed Ali (ed.), *The Holy Qur’an*, p. 201.

⁵⁷¹ Mohammad M. Hafez, *Suicide Bombers in Iraq: The Strategy and Ideology of Martyrdom*, Washington D.C: United States Institute of Peace Press, 2007, p. 132.

⁵⁷² Hossein Ansarian, “Jihad and Bravery”, *Official Website of Professor Ansarian*, 5 January 2015, <http://web.archive.org/web/20150530145438/http://www.erfan.ir/english/79778.html> [Accessed 08.06.16]

⁵⁷³ See Chapter Five for further detail.

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Though not a tactical innovation, the use of human shields (*tatarrus*) during battle also offers very clear parallels with the modern conceptualisation of nuclear deterrence as a form of hostage taking. Thomas Schelling alludes to the similarity between the two.

[T]he “balance of terror,” if it is stable, is simply a massive and modern version of an ancient institution: the exchange of hostages [...] today’s military technology makes it possible to have the lives of a potential enemy’s women and children within one’s grasp.⁵⁷⁴

Steven Lee concurs that “nuclear deterrence, like vicarious punishment, is an institution of hostage holding”,⁵⁷⁵ and similar views have been expressed elsewhere by critics and proponents of deterrence alike.⁵⁷⁶ Though it is considered incumbent on Muslims to avoid non-combatant casualties when bombarding an enemy, the moral burden is placed solely at the hands of the enemy if they are believed to have purposefully engineered a scenario wherein the death of non-combatants becomes unavoidable. This even extends to the enemy’s use of Muslims as hostages. Numerous scholars have declared it permissible to bombard the enemy using trebuchets in such a way that Muslim prisoners, used as human shields, are inevitably killed in the process. Ibn Qudamah’s for instance states the (Hanbali) view in the following terms:

And if they shield (themselves) in war with their women and their children, it is permitted to fire upon them and (to fire upon them) with the intention of killing; for the Prophet [...] fired on them (at Ta’if) with the mangonel when women and children were with them. And this is

⁵⁷⁴ Schelling, *Strategy of Conflict*, p. 239.

⁵⁷⁵ Steven Lee, “The Morality of Nuclear Deterrence: Hostage Holding and Consequences”, *Ethics*, Vol. 95, No. 3, Special Issue: Symposium on Ethics and Nuclear Deterrence, April 1985, p. 553.

⁵⁷⁶ See for instance Gregory S. Kavka, *Moral Paradoxes of Nuclear Deterrence*, Cambridge: Cambridge University Press, 1987, p. 82; Henry Shue, “Having it Both Ways”, in Henry Shue (ed.), *Nuclear Deterrence and Moral Restraint: Critical Choices for American Strategy*, Cambridge: Cambridge University Press, 1989, pp. 19-20; Thomas M. Nichols, *No Use: Nuclear Weapons and U.S. National Security*, Pittsburgh: University of Pennsylvania Press, 2013, p. 98.

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because if one desists when Muslims are among them it leads to a crippling of jihad. When they (the fighters) know that the enemy uses them (civilians) as a shield it causes trepidation.⁵⁷⁷

Those killed under such circumstances are viewed as martyrs, and culpability would here lie with the enemy conceived as having engineered the ‘balance of terror’ rather than those leading the bombardment. Other notable jurists, such as Abu Hanifah (founder of the Hanafi *madhab*), Yaqub ibn Ibrahim al-Ansari (Chief Islamic Judge in Abbasid Caliph Harun al-Rashid’s court), and Sufyan al-Thawri (founder of the defunct Thawri *madhab*), concluded that it was permissible under certain circumstances to attack an enemy which has deployed human shields.⁵⁷⁸ Tellingly, the Maliki jurist Abu Abdullah al-Qurtubi stated that attacking an enemy which uses human shields should be undertaken only in the “absolute and definitely clear interest of the Muslims”:⁵⁷⁹ a clarification appealing to *maslahah*, and ultimately some definition of an Islamic ‘referent object’ of security based on political, geographical or ideological criteria. To be sure, Ahmed al-Dawoody has chosen to supplement a summary of al-Qurtubi’s view on human shields with his assertion that attacking human shields might be permissible if it avoids “the collapse of the entire Muslim nation into the hands of the enemy”.⁵⁸⁰

On the other end of the spectrum, the founder of the Hanbali *madhab* Ahmad ibn Hanbal was unequivocal in his belief that under no circumstances would it be permissible to bombard an enemy that used human shields if these human shields were comprised of Muslims, non-Muslim citizens of a Muslim land (*ahl al-dimmah*), or people from a place that the Muslims

⁵⁷⁷ Benjamin Buchholz, “The Human Shield in Islamic Jurisprudence”, *Military Review*, May-June 2013, pp. 49-50.

⁵⁷⁸ al-Dawoody, *The Islamic Law of War*, p. 117.

⁵⁷⁹ Ibid, p. 117.

⁵⁸⁰ Ibid, p. 117.

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had entered into a peace treaty with.⁵⁸¹ From the Shi'i perspective, Allamah Hilli declared it permissible (albeit disliked) to target women, children, or Muslims used as human shields "in case the fire of war is aflame"⁵⁸² (i.e. during the fog of war). Hilli is joined in this opinion by Ibn al-Baraj al-Tarabulsi,⁵⁸³ and Mostafa Mohaghegh Damad even recalls an incident at the Siege of Tai'f where the Prophet is said to have used human shields as an extraordinary measure.⁵⁸⁴

An even more explicit parallel between nuclear weapons impacts and the types of weapons capable of mass destruction encountered in Islamic legal discourse concerns the immense damage caused by the heat they give off. A logical comparison can be made here between early views on incendiary weapon – seen to cause unnecessary, indiscriminate and cruel harm – and nuclear weapons. Historians trace the Islamic encounter with a particularly effective form of incendiary weapon – 'Greek fire' (known as '*naft*' in Arabic and Old Persian) to the Siege of Constantinople in 678 AD,⁵⁸⁵ when Byzantine ships launched concoctions of what is thought to be a mixture of petroleum and calcium oxide at the enemy.⁵⁸⁶ This amounted to

⁵⁸¹ Ibid, p. 117.

⁵⁸² Al-Muhaqqiq al-Hilli Abu al-Qasim Najm al-Din Ja'far ibn al-Hasan, *Yanabi' al-Fiqhiyah* [English: The Spring Sources of Jurisprudence], cited and translated in Mostafa Mohaghegh Damad, *Protection of Individuals in Times of Armed Conflict under International and Islamic Laws*, New York: Global Scholarly Publications, 2005, p. 369.

⁵⁸³ Hujat al-Islam Prof. Dr. Sayyid Mustafa Muhaqqiq Damad, "International Humanitarian Law in Islam and Contemporary International Law", in Ismail Salami (ed.), *Islamic Views on Human Rights: Viewpoints of Iranian Scholars*, Tehran: Alhoda Publishers, 2001, p. 283.

⁵⁸⁴ Ibid, p. 283.

⁵⁸⁵ J. R. Partington, *A History of Greek Fire and Gunpowder*, Baltimore: Johns Hopkins University Press, 1960, p. 21.

⁵⁸⁶ Cathy Cobb & Harold Goldwhite, *Creations of Fire: Chemistry's Lively History from Alchemy to the Atomic Age*, Cambridge (MA): Basic Books, 1995, p. 61.

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the use of “ancient flamethrowers”, spewing flames thickened with resin.⁵⁸⁷ So effective were these weapons as a revolution in military technology at the time that they have been described as early evidence of ‘shock and awe’ tactics.⁵⁸⁸ Just how Muslims first acquired the secrets of thermal weaponry for themselves in 844 AD – a secret closely guarded by the Byzantines – is debated.⁵⁸⁹ Whatever the case, use of *naft* weapons was “greatly expanded” under Salah al-Din Ayyubi’s caliphate (1138-1193). They were deployed and used in a variety of ways, including the classic ‘Greek fire’ model (i.e. a napalm-like concoction projected through tubes), using siege machines to lob clay pots containing the concoction into cities and citadels, and by launching enflamed arrows.⁵⁹⁰ It is probable that *naft* played a key role in military campaigns for control over Sicily and Italy.⁵⁹¹

Given its initial usage at sea, and in lieu of any explicit instructions for naval warfare found in Qur’anic ontology, Greek fire was initially assumed religiously permissible on pragmatic grounds through resort to *qiyas*, and specifically a comparison with previous use of catapults during land battles.⁵⁹² There were then some notable objections to using *naft* or other incendiary weapons from the Shafi’i school of Islamic jurisprudence. The school’s founder, Mohammad al-Shafi, forbade the use of thermal weapons but couched his verdict on the condition that there be no discernible “dire necessity” (*darura*) for using them. Khaled Abou

⁵⁸⁷ Stephen Turnbull, “The Walls of Constantinople”, in David Nicolle, John F. Haldon, & Stephen R. Turnbull (eds.), *The Fall of Constantinople: The Ottoman Conquest of Byzantium*, Oxford: Osprey Publishing, 2007, p. 152.

⁵⁸⁸ Charles D. Stanton, *Medieval Maritime Warfare*, South Yorkshire: Pen & Sword Ltd., 2014, pp. 24-25.

⁵⁸⁹ One theory is that the Byzantines had in fact taught the Umayyads how to engineer the weapons as part of their discussions of forming an alliance against the Aghlabids. See Douglas Haldane, “The Fire-Ship of Al-Salih Ayyub and Muslim Use of “Greek Fire””, in Donald J. Kagay and L.J. Andrew Villalon (eds.), *The Circle of War in the Middle Ages: Essays on Medieval Military and Naval History*, Suffolk: Boydell Press, 1999, Pp. 138-139.

⁵⁹⁰ David Nicolle, *Saladin and the Saracens*, Oxford: Osprey Publishing, 1986, p. 40.

⁵⁹¹ Haldane, “The Fire-Ship of Al-Salih Ayyub and Muslim Use of “Greek Fire””, p. 139.

⁵⁹² Hassan Salih Khalilieh, *Islamic Maritime Law: An Introduction*, Leiden: Brill, 1998, p. 119.

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el-Fadl defines ‘dire necessity’ here as either ‘first-use’ by enemy forces, or the enemy garrisoning themselves in a citadel where it would be effectively impossible to defeat them using alternative military means.⁵⁹³ In scenarios such as these, use of thermal weapons could *become* justified based on ‘dire necessity’: ‘disliked’ but nevertheless permissible. Al-Shafi is joined in his assessment by the modern scholar Sheikh Afifi al-Akiti at the University of Cambridge, whose own rationale proceeds as follows:

The original ruling [al-aṣl] for using a bomb (the medieval precedents: Greek fire [qitāl bil-nār or ramy al-naft] and catapults [manjanīq]) as a weapon is that it is makrūh [offensive] because it kills indiscriminately [ya‘ummu man yuqātilū wa-man lā yuqātilū], as opposed to using rifles (medieval example: a single bow and arrow). If the indiscriminate weapon is used in a place where there are civilians, it becomes ḥarām except when used as a last resort [min ḍarūra] (and of course, by those military personnel authorized to do so).⁵⁹⁴

The classical Shi’i view is more tempered than that of al-Shafi, and states it as disliked (*makrooh*) but permissible in certain circumstances to subject the enemy to bombardment with fire.⁵⁹⁵

Returning to the earliest view of *naft* as being analogous to catapults, another issue confronted at the second level of analysis – *ahadith* – as well as in juristic literature is use of siege weaponry: *manjaniq* (also known as mangonel, or trébuchets). These were essentially large catapults which lobbed projectiles, such as large stones or incendiary clay pots.

⁵⁹³ Khaled Abou el-Fadl, *Rebellion and Violence in Islamic Law*, Cambridge: Cambridge University Press, 2006, p. 152.

⁵⁹⁴ Muhammad Afifi al-Akiti, “Defending the Transgressed by Censuring the Reckless against the Killing of Civilians: Fatwa according to the Madhhab of Imam Shafi’i by Shaykh Muhammad Afifi al-Akiti”, 23 July 2005, <http://web.archive.org/web/20150219164014/http://jimas.org/affftwh.pdf> [Accessed 08.06.16], n.p.

⁵⁹⁵ Al-Muhaqqiq al-Hilli Abu al-Qasim Najm al-Din Ja’far ibn al-Hasan (Tr. Hasan M. Najafi), *Shara’i’ al-Islam fi Masa’il al-Halal wal-Haram (Vol. 1)* [English: Islamic Path in Matters of Permissible and Impermissible], Qom: Ansariyan Publications, 2009, p. 266.

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Muslims later on during the Crusades spoke about siege equipment in terms familiar to those that might view nuclear weapons: as the definitive symbol of military and strategic modernity, and as a great equaliser in military confrontations with the European powers.⁵⁹⁶

The *manjaniq* was present not only at the time of the Crusades, but also during the life of the Prophet himself. He is said to have allowed the use of *manjaniq* during an attack on Ta'if in the year 8 AH,⁵⁹⁷ and Ibn Hisham credits him as the first to have used this type of weapon in the history of Islam.⁵⁹⁸ Makkah itself was the subject of siege bombardment at the Battle of Harrah during the rule of Yazid I,⁵⁹⁹ and Ayatollah Fadl'Allah refers to this incident in order to admonish Yazid's behaviour as caliph.⁶⁰⁰ However, it is likely that opposition here centres on the use of *manjaniq* in Makkah rather than the principle of use writ large. Another prominent Lebanese Shi'i scholar seems to target Yazid rather than the technology itself, situating his opposition within theology as opposed to *fiqh*:

[Yazid] ordered his army to set up mangonels towards Mecca. He ordered his men to throw Mecca with ten thousand stones in one day. The army blockaded Mecca for four months and

⁵⁹⁶ Mardi ibn Ali al-Tarsusi, a military strategist writing in the 12th century, said that "the operation of the mangonel involves secrets which must be well kept". Jim Bradbury, *The Medieval Siege*, Suffolk: Boydell & Brewer, 1992, p. 255.

⁵⁹⁷ Algar, "The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*", p. 193.

⁵⁹⁸ Sohail Hashmi, "Islamic Ethics and Weapons of Mass Destruction", in Sohail H. Hashmi and Steven P. Lee (eds.), *Ethics and Weapons of Mass Destruction: Religious and Secular Perspectives*, Cambridge: Cambridge University Press, 2004, p. 328.

⁵⁹⁹ El-Fadl, *Rebellion and Violence in Islamic Law*, p. 69.

⁶⁰⁰ Ayatollah Fadl'Allah, cited in interview "Religious Authority Sayyed Muhammad Hussein Fadlullah: Ashoura Represents the Movement of Islamic Unity, Reform, and the Protection of the Freedom of Mankind", *al-Shirah Magazine*, Issue 10, 5 January 2009. Transcript available online at the Official Website of Ayatollah Mohammad Hussein Fadl'Allah:

http://web.archive.org/web/20160215145328/http://english.bayynat.org/Interviews/Interview_05012009.htm
[Accessed 18.06.16]

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kept on fighting every day until the news of Yazeed's death came. The mangonels had hit the Kaaba and destroyed it besides the fire that had been set on it.⁶⁰¹

Given that such weapons inevitably bring an enemy's non-combatant population within range of attack, the use of these weapons would often result in the collateral deaths of non-combatants, and significant damage of buildings. The following verses penned after the Siege of Baghdad (812-13 AD) highlight a strong awareness of the indiscriminate nature of these weapons, and provide evidence that the *manjaniq* inspired terror⁶⁰²

O shooters (rumāta) of the manjaniq

All of you without compassion

You do not care if anyone is a friend

*Or not a friend.*⁶⁰³

[...]

Do not go near the manjaniq and its stones

You saw the man killed, how he was buried.

He went out early, that no news might escape him

And came back dead, leaving the news behind.

What vigour and health he had

*When he went out early in the morning!*⁶⁰⁴

⁶⁰¹ Sayyid 'Abd al-Husayn Sharaf al-Din al-Musawi (Tr. Abdullah al-Shahin), *al-Nass Wal-Ijtihad, Text and Interpretation* [Tr. Abdullah al-Shahin], Qom: Ansariyan Publications, n.d.. Republished by al-Islam.org: <http://web.archive.org/web/20160418171242/http://www.al-islam.org/al-nass-wal-ijthad-text-interpretation-abdul-husayn-sharafuddin-al-musawi/chapter-6-violations> [Accessed 09.06.16]

⁶⁰² See also another vivid account of the use of *manjaniq* in Francis E. Peters, *Mecca: A Literary History of the Muslim Holy Land*, Princeton: Princeton University Press, 1994, pp. 98-100.

⁶⁰³ 'Amr ibn 'Abd al-Malik al-Warraaq, cited in Hugh Kennedy, "Pity and Defiance in the Poetry of the Siege of Baghdad", in Hugh Kennedy (ed.) *Warfare and Poetry in the Middle East*, London: I.B. Tauris, 2013, p. 155.

⁶⁰⁴ Ibid, p. 155.

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We should also bear in mind that the use of this siege weaponry centred on the need to “decide possession of a built-up area” as opposed to decimating the enemy’s entire forces.⁶⁰⁵ As with *naft*, *manjaniq* were therefore accommodated as part of a Muslim strategic arsenal but were not regularly used. That they were however used in states of ‘dire necessity’ or in order to secure strategic objectives is important. Like al-Shafi’i, al-Mawardi argued in the 10th century that the use of *manjaniq* was forbidden against internal enemies (i.e. rebels) – likely due to the massive damage they would cause to Muslim territory – but again couches his verdict in the qualification that this is dependent on no first-use from the enemy, and that the enemy must be forewarned of the bombardment so as to limit casualties.⁶⁰⁶ The classical Shi’i view similarly allows for the use of *manjaniq* in circumstances where it might ensure victory for a Muslim army:

It is permissible to fight the enemy through imposing siege (*hisar*), martial law [...], *mangonel*, demolishing the strongholds and houses, and any other means enabling the Muslims to defeat their enemies and achieve victory”.⁶⁰⁷

Further insights can be found in verdicts concerning chemical and biological weapons, due not only to their capacity to cause indiscriminate damage and destruction, but also the especially inhumane manner of death they can cause. One of the most problematic military technologies the Muslim community confronted early on came in the form of the systematic use of poisons – whether arrows and swords laced with it, or its use in water supplies. The first Shi’i Imam was struck and later killed by an assassin’s poisoned blade.⁶⁰⁸ Out of a total

⁶⁰⁵ Weston F. Cook Jr., *The Hundred Years War for Morocco: Gunpowder and the Military Revolution in the Early Muslim World*, Boulder: Westview Press, 1994. p. 59

⁶⁰⁶ Ibid, p. 172.

⁶⁰⁷ Al-Hilli (Tr. Hasan M. Najafi), *Shara’i’ al-Islam*, p. 266.

⁶⁰⁸ Mohammad Raza Nungersi, *A Brief Biography of Imam Ali (a.s.)*, Dar es Salaam: Bilal Muslim Mission of Tanzania, 1994, p. 77.

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of Twelve Shi'i Imams, all but two died at the hand of poisoning. Descriptions of the death of Imam Hassan at the hands of poisoning are particularly graphic, and narrated as such in eulogies and biographical accounts. The Shi'a believe him to have suffered for 40 days after first ingestion, vomiting blood and – it is said – pieces of his liver.⁶⁰⁹ As with certain representations of the use of *manjaniq*, the Shi'a often use the poisoning as a motif representing the injustices and harsh circumstances endured by the family of the Prophet. Their prohibition is therefore a theological rather than strictly legal one. Of the classical Shi'i scholars, al-Hilli completely forbade the use of poisoned arrows in battle regardless of any strategic or tactical benefits.⁶¹⁰ Sheikh al-Tusi held a similar absolutist view of poisons being forbidden:

[i]t is permissible to fight the unbelievers with any means of warfare, except the deployment of poison in their lands, that is disliked. Because that can lead to destruction of those who it is not permissible to kill, including children, women, and the insane.⁶¹¹

These classical jurists are joined by the 20th century Iranian scholar Ayatollah Abu al-Qassem al-Khoei, who forbade the use of poisons with reference the *sunnah* of the Prophet.⁶¹² Yet Algar has highlighted the legal view of the Shi'i jurist 'Shahid' al-Thani (a student of the Safavid court-scholar Muhaqqiq al-Karaki), who permitted the lacing of swords, arrows and

⁶⁰⁹ Mahmoud M. Ayoub, *Redemptive Suffering in Islam: A Study of the Devotional Aspects of Ashura in Twelver Shi'ism*, New York: Mouton Publishers, 1978, p. 172.

⁶¹⁰ Karima Bennoune, "Student Notes: As-Salamu 'Alaykum? Humanitarian Law in Islamic Jurisprudence", *Michigan Journal of International Law*, Vol. 15, Winter 1993-1994, p. 628.

⁶¹¹ Sheikh Mohammad ibn al-Hassan al-Tusi, *al-Iqtisad: Vol. 1* [English: The Economy], Beirut: Dar al-Adwa, 1985, p. 313. Republished by *e-Shia*: <http://web.archive.org/web/20160430143102/http://ar.lib.eshia.ir/15029/1/313> [Accessed 03.06.16]. Translated by Steven Ditto in "'Go, Learn about Atoms': Iranian Religious Discourse on Nuclear Weapons, 1962–Present", p. 18.

⁶¹² Seyed Abulqasim al-Khoei, *Minhaj al-Saliheen: Vol. 1* [English: Path of Righteousness], Qom: Madinat al-Ilm, 1989, pp. 372-373.

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lances with poison,⁶¹³ as well as the poisoning of an enemy's water supply.⁶¹⁴ Al-Thani's view exist on equal footing with those of al-Hilli and al-Tusi, and highlights that there appears to have been some justification in the past for the use of poisoning as a means of forcing the enemy to capitulate in the work of classical Shi'i scholars.

There does not appear to be a correspondent 'absolute' verdict against the use of poisoned arrows within the Sunni schools at the same time as al-Hilli's *fatwa*. The Maliki jurist Khalil ibn Ishaq al-Jundi only goes as far as to forbid their use due to the tendency of the suffering caused to outweigh strategic gain.⁶¹⁵ What is inferred here is that if a circumstance presents itself where the suffering caused by the use of poisoned arrows might be outweighed by a strategic outcome, that their use may become permissible. Majid Khadduri for instance cites the Hanafi scholar al-Shaybani as having permitted the spoiling an enemy's water supply with poison or blood in order to force them to surrender.⁶¹⁶ Yet Wahba al-Zuhayli, a contemporary Syrian jurist, has distinguished between the rulings of scholars of the Hanafi, Shafi'i and Hanbali *madhahab*, and those of the Maliki disposition. Whereas he argues that the former allowed any – even “weapons of steel [*silāḥ al-abyaḍ*] and deadly agents, even to the point of poisoning the enemy with projected incendiaries and noxious gases”⁶¹⁷ – to be used in if they were to “break the enemy's strength”,⁶¹⁸ the Maliki school refused to allow poisoning, or even the destruction of fortresses (unless this was done in retaliation).⁶¹⁹ Some have identified a linear relationship between Zuhayli's own opinion that Muslims are today

⁶¹³ Algar, “The Problem of Retaliation in Modern Warfare from the Point of View of *Fiqh*”, p. 195.

⁶¹⁴ Ibid, p. 196.

⁶¹⁵ Bennoune, “Student Notes: As-Salamu ‘Alaykum? Humanitarian Law in Islamic Jurisprudence”, p. 628.

⁶¹⁶ Majid Khadduri, *War and Peace in the Law of Islam*, Baltimore: John Hopkins University Press, 2007, p. 106.

⁶¹⁷ Quoted in Sohail H. Hashmi, “Saving and Taking Life in War”, in Jonathan E. Brockopp (ed.), *Islamic Ethics of Life: Abortion, War, and Euthanasia*, Columbia: University of South Carolina Press, 2003, p. 140.

⁶¹⁸ Ibid, p. 140.

⁶¹⁹ Hashmi, “Saving and Taking Life in War”, p. 140.

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permitted to develop certain WMD capacity as a deterrent, but never use such weapons for offensive purposes,⁶²⁰ and previous debates among medieval Sunni jurists. As such, we can only conclude at best from the positions of medieval Sunni scholars that the only consensus regarding the use of weapons capable of mass destruction is of a no-first use policy.

Neither Qur'anic ontology nor secondary sources feature discussions regarding the permissibility or impermissibility of biological weapons prominently. Likewise, there is scarce evidence suggesting that Muslim empires used or deployed biological weapons on the battlefield for either strategic or tactical purposes. There are however exceptions, but these instances are difficult to situate within any clear legal discussions from among Islamic jurists. During the 14th century, for instance, the Mongol Khan Janibeg used the murder of a Muslim trader in the city of Tana – a city controlled by the Mongols, but within which Genoese merchants were permitted to trade – as grounds to lay it siege. Merchants fleeing the Mongol army sought refuge in Caffa, a high-walled city primarily used by its Christian merchant populace for warehousing. As this latter city also came under siege, the Mongols “hurled plague-infected cadavers”, “thereby transmitting the disease to the inhabitants”.⁶²¹ What is also notable about this episode, if we are to believe the account of Gabriele de' Mussi – an Italian notary who documented the event and the subsequent spread of what became the Plague – is that its chronology does not imply a strategic incentive for the use of biological weapons when they were meant to have been used during the siege:

[t]he dying Tartars, stunned and stupefied by the immensity of the disaster brought about by the disease, and realizing that they had no hope of escape, lost interest in the siege. But they

⁶²⁰ Ibid, pp. 141-142

⁶²¹ Mark Wheelis, “Biological Warfare at the 1346 Siege of Caffa”, *Historical Review*, Vol. 8, No. 9, September 2002, p. 971.

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ordered corpses to be placed in catapults and lobbed into the city in the hope that the intolerable stench would kill everyone inside.⁶²²

It was therefore only after the Mongols had decided to end the siege that they decided to use disease as a weapon against the inhabitants of Caffa. The siege had been designed to restore the ‘honour’ of the Mongol empire that had seen one of its subjects murdered, also raises the possibility that certain acts of mass destruction were committed in the heat of battle, and as military leaders were given considerable tactical freedom – a characteristic which in many ways was not replicated in Iran’s experience during its war with Iraq. In contrast to the experience of senior IRGC commanders during the Iran-Iraq war,⁶²³ it is extremely unlikely that military leaders were acting in consultation with religious authority linked to the court of Janibeg, and we can thus only speculate as to the extent that Islam (and in particular, the *shari’ah*) informed their decision to launch diseased cadavers at a besieged city housing mostly non-combatants. What might be a more fruitful endeavour is to categorise this incident within the remit of laws related to *qisas*, as well as the tactical use of terror – neither of which falling within the natural remit of *maslahah*.

Conclusion

This chapter began with the construction of an analytical framework for understanding strategic preferences from within an Islamic episteme. The framework centred on three interrelated levels of analysis: Qur’anic ontology, secondary accounts of the practises of the Prophet and Imams contained in *ahadith*, and theology. This analytical framework was then used to contextualise the consolidation of various schools of military jurisprudence, and rationalise the types of thinking underpinning legal verdicts related to the use of strategies,

⁶²² Gabriele de’ Mussi, in Wheelis, “Biological Warfare at the 1346 siege of Caffa”, p. 973.

⁶²³ See Chapter Five.

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tactics and weapons associated with mass destruction in a way that goes beyond the deterrence parameter.

We may conclude that Islamic law – both Shi'i and Sunni – is remarkably adept at creating a space where weapons capable of mass destruction can legitimately be situated within strategic preferences. Islamic ontology and secondary sources contain very few absolute laws limiting either *jihad* or weapons capable of mass destruction that, at least in principle, 'dire necessity' or the 'public interest' cannot trump. If what is constructed as the Islamic state is considered existentially threatened, there are provisions within Islamic law which can be conducive to prohibitions on the use of weapons capable of mass destruction being overturned.

There are therefore ample examples of an expedient approach to weapons, strategies and tactics of warfare based upon a higher objective of safeguarding some organised collective notion of Islamic peoples from external (or internal) violence and existential threat. These imperatives became clearer as we examined how the 'public interest' (*maslahah*) or 'dire necessity' is invoked within rulings on weapons capable of mass destruction and *jihad*. Concepts such as these ushered in a body of 'military jurisprudence' developed by Sunni legal theorists which served a specific purpose of maintaining and expanding Islamic empire. It was, however, much more divorced from many of the theological dilemmas that stymied the rise of a parallel school of military jurisprudence in Shi'ism based upon expediency or public interest. Evidence throughout the chapter suggests that, in relying on concepts like the 'public good' and absolute necessity, Islamic traditions of war are too fluid and adaptive to fit inside the deterrence parameter. For this reason, it is impossible to discern an essentialist definition of 'Islamic' approaches to war – ingrained in Qur'anic ontology, secondary

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sources, or theology – which would render Iranian nuclear proliferation today being inevitable, and a major international security concern.

Given that the *ulama* are such central figures as securitising actors in this process of designating weapons, strategies and tactics of mass destruction permissible or not, we will now proceed to use this framework as a basis for understanding contemporary Islamic views in Iran concerning nuclear weapons and other weapons of mass destruction, and specifically look for ‘referent objects’ in the consolidation of military jurisprudence today. In short, what are the lengths that the Islamic Republic might be willing to go in defence of its territorial integrity and ruling political system? Do they necessarily view nuclear weapons in the same way as deterrence theorists? In answering, we need a better understanding of what its ‘referent object’ of security is, and particularly how prominent the mechanism of *maslahah* is in legal thinking concerning nuclear weapons.

Chapter Five: The Islamic Republic of Iran's Nuclear Policies beyond the Deterrence Parameter

We are waiting for the return of the Imam, which does not mean that we are giving up on the possibility of a good government.⁶²⁴

Introduction

Having developed an analytical framework for understanding strategic preferences from within 'Islamic' epistemological boundaries – where these preferences emerge from, how they are consolidated, and how they change – we may now assess the Islamic Republic of Iran's strategic preferences towards nuclear weapons. The first objective of this chapter is to analyse Shi'i-Islamic views regarding nuclear weapons and other WMD – set out in Chapter One – on their own terms through utilising the analytical framework developed in Chapter Four. Chapters Two and Three established that the views, personalities and structures of religious authority are rarely considered in political scholarship or commentary beyond an ethnocentric (and often Eurocentric) lens. If the epistemic parameters of this lens continue to discipline our reading of Iran's strategic preferences, proclamations or viewpoints on nuclear weapons and other WMD (such as those surveyed in Chapter One) will tell us very little about potential religious origins of Iranian policy. Either *fatawa* on nuclear weapons and other WMD will confirm pre-existing essentialist assumptions about Islam, or they will be

⁶²⁴ Ayatollah Mohammad Kazem Shari'atmadari, interviewed by Michel Foucault in "What are the Iranians Dreaming About?", in Janet Afary and Kevin B. Anderson (eds.), *Foucault and the Iranian Revolution: Gender and the Seductions of Islamism*, Chicago: University of Chicago Press, 2010, p. 206.

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understood by way of realism as purely functional. In both cases, analysis will continue to reveal very little about potential religious roots of Iran's strategic preferences.

The second objective of this chapter is to provide a counter-narrative for what Iran's strategic preferences related to nuclear weapons acquisition, use/non-use would look like if we assume that religion and religious actors have a substantive impact on its policy-making. Again, this objective will be pursued with reference to the analytical framework developed in Chapter Four. What can these verdicts tell us about how those within the Islamic Republic view their Iran's security? Under what circumstances might religious opinion on nuclear weapons change? What can these verdicts tell us about the authority of the Supreme Leader in a strategic context?

We will find in this chapter that while some Islamic discourses related to nuclear weapons overlap with 'Third-World' critiques of dependency and neo-colonialism, others reflect a unique appropriation of *maslahah* by 20th century Iranian Islamic scholars. This exposed contemporary law-making and indeed strategic thinking in Shi'ism to the 'public interest', massively altering the relationship between the *ulama* and the state. As Hamid Mavani writes, Khomeini

co-opted the Sunni concept of public welfare (*maslaha*) by arguing that this ought to be the criterion for evaluating all actions at a particular time and in a specific context. The end result is to make all matters of government and obedience to the jurisconsult a subcategory of divine authority (*al-wilayat al-ilahiyya*), thereby depriving the public of its right to question or express an opinion on those issues that demand religious devotion and uncritical acceptance.⁶²⁵

⁶²⁵ Hamid Mavani, *Religious Authority and Political Thought in Twelver Shi'ism: From Ali to Khomeini*, Oxford: Routledge, 2013, p. 163.

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Having previously shunned this concept as inapplicable to the Shi'i tradition, due to either the presence of a divinely connected law-maker on earth (i.e. the first eleven Imams), or the absence of the Twelfth Imam, the introduction of this concept opens up Islamic legal thinking in Iran to a vast history of precedents and discourses – legal and otherwise – concerning warfare and mass destruction which considered the urgency of protecting the Islamic 'nation', 'community', or even 'state', above all other Islamic ordinances.⁶²⁶ This ultimately transforms the *fatwa* into a political text in the Islamic Republic of Iran, contingent on assessments of the strategic benefits Islamic law can have for the Islamic Republic of Iran.⁶²⁷ At the same time, although these *fatawa* are always in motion, they also retain unique eschatological and theological significance which ensure they transcend other more mundane policies in Iran derived solely from its political processes. This has significant ramifications for how we choose to interpret religious views on nuclear weapons, and the potential salience of these views in the Islamic Republic of Iran today. It also, I argue, points to alternative and unique accounts of pragmatism and expediency in the Islamic Republic of Iran than those found in orientalist or realist accounts.

Islamic First Principles on Nuclear Weapons

We will begin by discerning what Islamic 'first principles' on the rules of engagement can potentially tell us about Iran's current policies. Of the views surveyed in Chapter One, many religious scholars make reference to what seem to be static and impermeable principles of warfare related to the need to avoid the deaths of non-combatants, and root this doctrine in a Qur'anic ontology of warfare. Here Qur'anic ontology sets out what are construed (at least

⁶²⁶ See Ahmad Kazemi Moussavi, "The Prospect of Rapprochement (Taqrīb) between Sunni and Ja'fari Shi'i Legal Schools", in Karim Douglas Crow (ed.), *Facing One Qiblah: Legal and Doctrinal Aspects of Sunni and Shi'ah Muslims*, Singapore: Pustaka Nasional Pte Ltd., 2005, p. 20,

⁶²⁷ See Bahman Baktiari, "Iran: Shari'a Politics and the Transformation of Islamic Law", in Robert W. Hefner (ed.), *Shari'a Politics: Islamic Law and Society in the Modern World*, Bloomington: Indiana University Press, 2011, pp. 126-127.

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initially) as rigid rules – rooted in divine sources themselves – about who can and cannot be legitimately targeted at times of war either in actual combat, or as part of deterrence or compellence strategies. With regards to these first principles forbidding the killing of non-combatants, which would extend logically to nuclear weapons possession and use also being forbidden, Ayatollah Lankarani's views are of note. Lankarani references the normalisation paradigm of warfare, rooted in Qur'anic ontology. In Lankarani's view, war – rather than representing a state of exception in and of itself – is itself contained within Islam and therefore subject to a range of principles (*usul* (principles), *adab*(etiquette), *akhlaq* (ethics) and *ahkam* (rules/commandments)). For Lankarani, these principles of warfare must be upheld even in situations where their abandonment could allow Muslims certain tactical advantages. For example, while Lankarani prohibits Muslims from certain actions associated with aggression or excess during war (e.g. killing captives, destroying trees, etc.) – an opinion we may regard as unsurprising from the perspective of Qur'anic ontology – his inclusion of the deployment of poisons specifically on both the battlefield and in residential areas invokes practical scenarios within which a 'state of exception' could theoretically justify the use of WMD, but for Lankarani do not. Given their emphasis on 'Islamic principles' related to human life, Sobhani's views – given their explicit repudiation of nuclear weapons use and deterrence – likewise draw upon basic first principles which provide evidence against both orientalist and realist accounts of how religion might impact Iran's strategic preferences (namely, in legitimising or at least excusing the use of nuclear weapons).

There are other Qur'anic ontologies which could theoretically legitimise the use or possession of nuclear weapons and other WMD. Khomeini's insistence, for instance, on the obligation upon all to defend "through any means possible" Muslim countries as a response to an

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invasion *regardless* of the direct presence of any divinely appointed Imam or their deputy,⁶²⁸ circumvents a traditional emphasis within Shi'ism upon just rulership in the context of warfare in the construction of certain referent objects which demand obedience first and foremost to tactical and strategic urgency outlined through temporal authorities. Yet Khomeini's actual behaviour when confronted with the opportunity to develop and use nuclear, chemical or biological weapons against Iraqi forces during the Iran-Iraq war points to restraint during his tenure as Supreme Leader, which combined both ultimate military as well as spiritual authority. Chapter One illustrated that at repeated junctions where the use of nuclear, chemical or biological weapons could have been legitimised in protecting the Islamic Republic of Iran from a genuinely existential threat, Khomeini – in weighing up competing Qur'anic ontologies – did not project these weapons as fundamental to securing the survival of Iran. Indeed, Khomeini's emphasis on the distinction between himself and Saddam Hussein⁶²⁹ points to the salience of theology in his own intellectual rationalisation when ascertaining Iranian strategic preferences, and outcomes in actual Iranian policy. Rather than exploiting this space of ambiguity and abandoning Qur'anic ontology with preference for secondary sources or theology which – as we have seen in the previous chapter – could have potentially legitimised Iranian acquisition and use of WMD, Khomeini seems to have erred even closer towards Islamic first principles against the killing of civilians, taking the opportunity to reinforce this position through acknowledging the significance of his own office as leader of an Islamic Republic (specifically, through explicit comparison with the secular, Baathist regime of Saddam Hussein).

⁶²⁸ See Chapter One, and Ruhollah Khomeini, *Tahrir al-Wasilah: Vol 1* [English: Means of Salvation], Najaf: Matb'at al-Adab, 1970. Republished by *e-Shia*: <http://web.archive.org/web/20160430143846/http://ar.lib.eshia.ir/21010/1/485> [Accessed 09.06.16]. Translation in Ditto, "Go, Learn About Atoms", p. 15.

⁶²⁹ See pp. 60-61 of this thesis.

Maslahah and the ‘State of Exception’

First principles contained in Qur’anic ontology are contingent upon there being an absence of circumstances which can make it necessary or in certain cases even obligatory to suspend basic Islamic ordinances in order to safeguard a referent object from an existential threat. Yet, as we have seen, clerics do not necessarily react to all circumstances where Iran is (in military terms) existentially threatened by socially constructing these situations as states of exception. Clerical engagement with *maslahah* cannot therefore be sufficiently understood from within a realist paradigm.

When conceptualising the circumstances which would permit nuclear weapons acquisition or use – particularly if we wish to account for the discursive processes behind today’s *fatawa* that define both referent objects of security (i.e. the Islamic state) and existential threats – a better starting point than those explored in Chapters Two and Three is Agamben’s theorisation of the ‘state of exception’. Of the opinions surveyed in Chapter One, a large number of clerics conceive states of exceptions concerning when referencing some notion of ‘public interest’. Yet not all link the defence of public interests and the existential survival of the Islamic Republic with actions that would involve broadening the definition of the enemy (or legitimate military targets) beyond that outlined in Qur’anic ontology.

The state of exception is important when analysing religious views on nuclear weapons and other WMD for at least three reasons. First, it provides an avenue for exploring specific instances where clerics elect to invoke expediency or ‘dire necessity’ when they produce legal opinion on the permissibility of nuclear weapons. Second, the state of exception paints a more detailed picture of how clerics negotiate Islamic law with modern innovations in military technology and strategic doctrines. Third, it allows for us to consider Islamic law, and *maslahah* in particular, as a contemplative and subjective process dependent as much on

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Muslim narratives – both popular, rooted in theology, and individual in the form of unique clerical engagement – about where the world is headed, as it does on either a strict assessment of Iran's material interests, or religious dogma. Nuclear *fatawa* can therefore reveal how these states of exception conceived by Iran's *ulama* are determined by their readings of divine scripture, as well as Islamic law, history and custom, and therefore exist within distinctive epistemic boundaries.

Previous work from within the field of Islamic Studies has broadly considered the notion of a state of exception in *shari'ah* politics. For instance, Wael Hallaq has developed a critique in which he asks the following question:

how can Muslims aspiring to build an Islamic state justify sacrifice for a state that could not and cannot subscribe to the moral, that could not and cannot commit except, at best, to an amoral way of being, to positivism, facticity, and Is-ness?⁶³⁰

For Hallaq, the choice is a simple one between adhering to immutable laws rooted in transcendental Islamic 'Truth' – Qur'anic ontology – and adhering to laws which favour pragmatic action, devised to supersede what are conceived as out-dated or unrealistic corpuses of law in a spirit of utilitarianism. Here he uses the example of obligations to protect the poor and weak to underline his point:

if it creates for them an inherently natural right against the wealth of the rich, then no economic development or capitalist principle can be allowed to override this will. If this morality dictates a humane treatment of others, then no political or scientific calculation

⁶³⁰ Wael Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*, West Sussex: Columbia University Press, 2014, p. 93.

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whatsoever can be permitted to reduce another's humanity by any measure, to let her starve or send him to the gas chambers, simply in the name of science and rationality.⁶³¹

Through adopting a rationalist or modernist paradigm of Islamic law, Hallaq's specific line of inquiry implies that the state of exception we are interested in – namely, exceptional circumstances where weapons capable of mass destruction can be legitimately acquired and used – is somehow inauthentic. Changing the focus slightly to effect rather than cause, it can certainly be conceded that Islamic law or opinions conceived from mysticism can certainly appear on the surface to conform to the logic of realism. Clerics might find that their pronouncements on the impermissibility of nuclear weapons find their way into government policy, but that their 'states of exceptions' are also instrumentalised by realists with little awareness of (or interest in) the more metaphysical reasons to abandon traditional Islamic laws.

In the area of *maslahah* specifically, we are already in the habit of assuming that law-making under its remit is premised on a cost-benefit analysis of what the existential interests of the Islamic Republic are compared to the harm incurred by suspending or abandoning other primary and secondary legislation. This cannot account for the foundational mystical underpinnings of *maslahah* as they are conceived in the Islamic Republic today. While Hallaq's assumes a rationalist definition of the national interest, it is possible that a much more transcendental mystical definition is left under-examined. In this respect, Hallaq's following observation regarding the incompatibility of Islam with the state of exception is problematic:

Islamic governance cannot permit any sovereignty or sovereign will other than that of God. If morality is to guide human actions, if it be autonomous, then it must rest on universal and

⁶³¹ Ibid, p. 157.

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eternal principles of truth and justice, principles that transcend the manipulation and whims of a positivist entity. It must determine the limits of human actions, drawing a line of separation between what can and cannot be done and curbing the domain of the rational when this leads to the violation of its own domain.⁶³²

The predicament presented here by Hallaq recalls that of Khaled Abou el-Fadl, whose own problem centred on legal scope. There is on the one hand the basic prerequisite of stability necessary in order to maintain a space for religious discourse – particularly jurisprudential – to flourish and gain resonance.⁶³³ On the other hand, if the ethical and moral constraints provided by an Islamic paradigm of warfare can only apply without exception under circumstances where the Muslim community, Islamic state or ‘nation do not face an existential threat, this risks devaluing law. Khaled Abou el Fadl states this conundrum succinctly: “if jurists concede to the prosecution of war an unfettered autonomy from any rules [...] the law becomes very pragmatic but also irrelevant”.⁶³⁴

Mohammad Mohammad Sadiq al-Sadr’s views are perhaps the most explicitly situated within the domain of *maslahah* and dire necessity. With reference to both Qur’anic ontology and secondary sources – namely, a *hadith* detailing the practise of the Prophet – al-Sadr places a clear limitation on the prohibition on ‘hazardous weaponry’. This limitation, while “rare”, is nevertheless that if it can be adduced that using such weapons would be in the public interest. Al-Sadr’s position invokes a distinct kind of utilitarianism in that it refers to the need to balance the deaths of civilians with the deaths of combatants.

⁶³² Ibid, p. 157.

⁶³³ Khaled Abou El Fadl, “Between Functionalism and Morality: The Juristic Debates on the Conduct of War”, in Brockopp (ed.), *Islamic Ethics of Life*, p. 103.

⁶³⁴ Ibid.

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There are real world examples of actual clerical engagement with this concept of *maslahah* at times of conflict. When deliberating on culpability for what would be incursions into Iranian territory, Khomeini's insistence that the Iraqi people could not themselves be legitimately held responsible for the actions of the Saddam Hussein⁶³⁵ highlights his own attachment to Qur'anic ontologies prohibiting mass destruction and weapons (capable) of mass destruction, even in spite of dire necessity. Yet both Qur'anic ontology and theology are equally vital in understanding this aspect of how Iran behaves as an Islamic Republic when faced with existential threats. We may, for instance, consider the repeated attempts in Iran by military officials to obtain permission from Khomeini during the Iran-Iraq war to develop WMD as having been based on an ingrained assumption that conveying the urgent need to obtain and use these weapons through appealing to the logic of *maslahah* or 'dire necessity' could have convinced the Supreme Leader that Iran was at those precise moments in fact obliged to produce these weapons. Their efforts failed as Khomeini chose to mediate the social construction of the Iraqi military threat – regardless of situations of dire necessity – through the theology attached to his leadership as *wali al-faqih*, and emphasis of non-material incentives for Iran not to develop and use WMD. In this regard, it is more plausible that Khomeini as a Supreme Leader would have been reading the political and military leaderships of Islamic personalities dynamically in an esoteric or mystical sense, rather than as a literalist seeking military events which could legitimise going beyond Islamic parameters of action.

Mesbah Yazdi's views are also of note in the context of the position of Supreme Leader mediating between real world events and 'hidden' truths in the context of pragmatism and

⁶³⁵ "Imam Opposed Weapons of Mass Destruction (W.M.D)", *Official Website of Ayatollah Ruhollah Khomeini*, 22 September 2013, https://web.archive.org/web/20150219140011/http://en.imam-khomeini.ir/en/n6140/News/Imam_Opposed_Weapons_of_Mass_Destruction_W_M_D [Accessed 12.06.16]

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maslahah. Yazdi's insistence that pre-emptive attacks against nuclear arsenals are permissible if they are aimed at saving Iran from annihilation – even if this course of action would lead to the deaths of civilians – depends on permission being secured from the *wali al-faqih* (i.e. the Supreme Leader). While this kind of opinion on its own would seemingly contradict those of Khamenei or Khomeini, it is nevertheless still confined to the same Islamic epistemic parameters demanding deference to the Supreme Leader in discerning states of exception (more of which in the next section). It is also a reminder that even during the social construction of this state of exception by the *ulama*, certain transcendent ethical, religious and mystical values remain central to threat assessment. None of these views appear consistent with narrative of strategic agency found in the proliferation paradigm.⁶³⁶

To fully comprehend how scholars in the Islamic Republic accommodate expediency and pragmatism in their military jurisprudence, we should assess the hybrid purpose of Khomeini's conceptualisation of *maslahah*. Whilst on the one hand, *maslahah* is incorporated into Islamic legal theory as a mechanism to ensure that the conditions which allow the *shari'ah* to flourish are preserved, it is on the other hand also subsumed into the dominant Shi'i narrative of what the law represents (namely, deference to divine authority). Khomeini emphasises that a Muslim country is obligated to defend itself by any means available regardless of the presence of the Twelfth Imam, or even permission from his deputy.⁶³⁷ In theory, Khomeini's position allows space both for all types of weapons to be used in defence of an Islamic Republic, and for such actions to be contained within the purview of Islamic law (hence its status as a state of exception rather than as an abrogation of Islamic law). Similar to the way in which Qur'anic ontology defined Islamic laws of warfare in Chapter

⁶³⁶ See Chapter Three.

⁶³⁷ Khomeini, *Tahrir al-Wasilah: Vol. 1*. Translated in Ditto, "Go, Learn About Atoms", p. 15. Also see Chapter One of this thesis.

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Four, Khomeini's vision of warfare as a state of exception within Islamic law allows for actions that would be otherwise consider impermissible to become subsumed into Islamic totality. These states of exception rely on the social-construction of a 'national interest' and an 'Islamic' state peculiar to a specific time, place and indeed religious thinker envisioning them, and cannot therefore be linearly anticipated to produce outcomes of exceptional military behaviour in the event of military attack or use of WMD by another state.

Broadening our understanding of the third element of the Islamic framework of analysis (theology), we should consider certain political developments in order to refine our understanding of what nuclear *fatawa* can tell us about religious agency, opinion and authority in contemporary Iran. Iran's *ulama* were divided after 1979 into two informal camps: those who believed Iran should base its laws strictly on classical sources (*fiqh-e sunnati*), and those who believed it was necessary to "modify" the *shari'ah* based on careful *ijtihad* (*fiqh-e pooya*).⁶³⁸ While Azadeh Niknam rightly points out that accusations of juridical recourse to traditionally Sunni notions such as *istislah* and *istihsan* in Iran are often rejected by proponents of *fiqh-e pooya*,⁶³⁹ they nevertheless represent a strong pillar of religious legal thinking in the Islamic Republic. During the 1980's, this extended to a debate between proponents of the rule of government law (*hukm-e hukumati*), led by Khomeini and his followers, and the rule of divine law (*hukm-e shari'i*).⁶⁴⁰ To this day, supporters and detractors of *wilayat al-faqih* among the *ulama* align more or less with their position on *fiqh-e sunnati* versus *fiqh-e pooya*. There have however been notable instances where even scholars from within the *nezam* have differed on this issue. Volume 20 of *Sahife-ye Nour*

⁶³⁸ Azadeh Niknam, "The Islamization of Law in Iran: A Time of Disenchantment", *Middle East Report*, No. 212, Pushing the Limits: Iran's Islamic Revolution at Twenty, Autumn 1999, p. 18.

⁶³⁹ Ibid, p. 18.

⁶⁴⁰ Ibid, p. 18.

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contains a letter from Khomeini to Khamenei where the former alleges that the latter misunderstood a point made by him on the accountability of government to the *shari'ah*:

You said in your sermon that I said that “the government has authority only within the framework of Islamic law.” This is the absolute opposite of what I said [...] The government can unilaterally abrogate any religious agreement made by it with the people if it believes that the agreement is against the interests of the country and Islam.⁶⁴¹

This inevitably places the Islamic Republic's existential survival among those who believe in its legitimacy within a very specific teleology predating the Westphalian state system. In the eyes of many clerics and supporters of the revolution, or adherents of *wilayat al-faqih* worldwide, Iran's survival is uniquely intertwined with both Islam's past and its future. For this reason, strategic preferences in Iran – while potentially bearing the ephemeral characteristics of realism – cannot be adequately considered an outcome of Iran as a ‘like-unit’. For Khomeini, the fate of the Islamic Republic and that of Islam itself were inextricably linked during Iran's war with Iraq: “[y]ou are fighting to protect Islam and he [Saddam Hussein] is fighting to destroy it”.⁶⁴² Such a view can be interpreted ephemerally in support of a realist paradigm of Iranian foreign policy, or more accurately (given their clear overlap with debates inside Islam) as an antithesis to the view that Iranian behaviour is defined by sole reference to an anarchic international system or global military balances. As such, contrary to the dominant narrative of various Islamist projects confronting the *shari'ah* as a process of ‘Islamising’ (largely secular) law - orthopraxy as opposed to orthodoxy)⁶⁴³ – *fatawa* concerning nuclear weapons in Iran today point to an opposite tendency in this

⁶⁴¹ Ruhollah Khomeini, *Sahifeh-ye Nour: Vol. 20* [English: Pages of Light], Tehran: Entesharat-e vezarat-e Farhang va Ershad-e Eslami, 2000, p. 170. Translation in Khalaji, “Nuclear Fatwa”, p. 22.

⁶⁴² Ruhollah Khomeini, quoted in Chubin and Tripp, *The Iran-Iraq War*, p. 38.

⁶⁴³ See Mehran Tamadonfar, *Islamic Law and Governance in Contemporary Iran: Transcending Islam for Social, Economic, and Political Order*, Lanham: Lexington Books, 2015, p. 32; W. Montgomery Watt, *Islamic Creeds: A Selection*, Edinburgh: Edinburgh University Press, 1994, p. 34.

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particular context: the legal reification of Islam by scholars. In determining certain states of exception for which an Islamic state may use WMD otherwise considered forbidden, clerics demand that these dire necessities still retain legal currency and are therefore not viewed as an aberration from Qur'anic ontology or the *sunnan* of the Prophet and Ahlulbayt. They ensure this today in the Islamic Republic by linking their proclamations implicitly to the theology associated with leadership and religious authority in the age of the occultation. This would insulate strategic preferences conceived in the Islamic Republic today, as far as they are shaped by the *ulama*, from rigid adherence to Islamic dogmas themselves while at the same time protect them from descending completely into the realm of secular *realpolitik*.

Deference to the Wali al-Faqih

As was touched upon in the previous section, a key component of strategic preference making from within an Islamic framework – particularly in the Islamic Republic of Iran today – is therefore the *shari'ah* being centralised in the agency of a single cleric, and this cleric possessing the mandate to define Iran as referent object of security and the circumstances where extraordinary actions can be taken. Since the Revolution, this cleric has been designated as *wali al-faqih*, and endowed with the more formal political office of Supreme Leader. Yet even prior to this however, the tendency towards have a single *marja al-taqlid* at the head of Islamic learning centres⁶⁴⁴ normalised the recognition of a unitary, 'most-learned' religious figure whose expertise put them in a position to determine the direction of scholarly consensus (*ijma*) on emerging legal issues.

Both Western realist traditions and Islamic political thought – especially in Sunnism – have highlighted the importance of erecting and maintaining a sovereign authority at all costs in

⁶⁴⁴ Said Amir Arjomand, "Ideological Revolution in Shi'ism", in Arjomand (ed.), *Authority and Political Culture in Shi'ism*, pp. 184-185.

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order to avoid conditions of anarchy and disorder, with ibn Taymiyah's earlier dictum that "sixty years of an unjust Imam are better than one night without a sultan"⁶⁴⁵ recognisable to students of Thomas Hobbes. Al-Ghazali, who we have seen was an early theoriser of *maslahah*, likewise conceived military power as being a prerequisite foundation upon which the office of the Caliph should be built. Government, in his eyes, could only be "in the hands of those who are backed by military force". As such, "[t]he caliph is [...] whom the wielder of force gives his allegiance. As long as the authority of the caliph is thus recognised, government is lawful".⁶⁴⁶ Al-Ghazali's expresses his view even more clearly as follows: "Government in these days is a consequence solely of military power, and whosoever he may be to whom the possessor of military power gives his allegiance, that person is the caliph."⁶⁴⁷

What is notable about these conceptions of the sovereign in Sunni and realist traditions is that they do not conceive any requirement – or indeed pretence – that the sovereign authority should be 'just', or most knowledgeable. For both, it is necessary only that the sovereign possess (in Weberian terms)⁶⁴⁸ a monopoly on the use of physical force, and legitimacy stemming partially from pre-eminence in this area. The more modern acquiescence to this notion among the Shi'a in Iran runs seemingly diametrically opposed to its long history of having rejected the social compact with power in preference of its own theological construct of 'just' leadership.

⁶⁴⁵ Ibn Taymiyah, *al-Siyasah al-Shari'ah* [English: The Governance of the Shari'ah], Cairo: Dar al-Sha'b, 1971, p. 184. Translation in Erwin I. J. Rosenthal, *Political Thought in Medieval Islam: An Introductory Outline*, Cambridge: Cambridge University Press, 1958, p. 242, n. 58.

⁶⁴⁶ Al-Ghazali, translated in Rosenthal, *Political Thought in Medieval Islam*, p. 42.

⁶⁴⁷ Hamilton A.R. Gibb, "Some Considerations on the Sunni Theory of the Caliphate", in Hamilton A.R. Gibb, *Studies on the Civilization of Islam*, Boston: Beacon Press, 1962, pp. 142-43.

⁶⁴⁸ Max Weber, "Politics as a Vocation", in H.H. Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology*, London: Routledge, 1948, p. 78.

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This has ramifications for assessments of contemporary *fatawa* and other Islamic discourses concerning nuclear weapons inside Iran. Although ibn Taymiyah's vision of a convergence of military authority and political leadership is closely associated with schools of Sunni jurisprudence – of which, some running antithetical and even hostile to Twelver Shi'ism – there are certain instances where the Shi'a have also embraced similar views. In one instance ibn Taymiyah even draws upon a *hadith* where the first Shi'i Imam – and fourth Sunni Caliph – is asked about the need to follow a leader who is unjust, to which he is said to have responded: “[because] thanks to it, highways are kept secure, canonical penalties are applied, holy war is fought against the enemy, and spoils are collected”.⁶⁴⁹ Khomeini would himself rely on a similar logic even while in exile and without political power, responding when asked by a seminary student whether it was permissible to leave an outstanding balance on postage stamps that this was impermissible “even if Stalin is in power [...] [s]afeguarding the system is a priority.”⁶⁵⁰ Ayatollah Yazdi likewise today regards the duties of government as being intertwined with obligations to protect first and foremost Islamic society:

A government possessing brute force and sufficient power must be established so as to manage affairs, implement laws, defend beliefs and values, maintain internal and external security, prevent violations, thwart conspiracy, and hamper external aggression to Islamic society.⁶⁵¹

⁶⁴⁹ Enayat, *Modern Islamic Political Thought*, p. 12.

⁶⁵⁰ Ruhollah Khomeini, quoted by Sayed Mujtaba Rudbari in *Ways of the Imam*. Republished by the Institute for the Compilation and Publication of Imam Khomeini's Works as “Even if Stalin is in power” on the *Official Website of Ayatollah Ruhollah Khomeini*, 27 December 2013, “Even if Stalin is in power”, 27 December 2013, http://web.archive.org/web/20160430144439/http://en.imam-khomeini.ir/en/n2351/Memory/Individual_characteristics_and_qualities/Even_if_Stalin_is_in_power [Accessed 12.06.16]

⁶⁵¹ Yazdi, *Islamic Political Theory Volume 2 (Legislation)*, p. 29.

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Yazdi's view is illustrative of the perception that the Islamic Republic must be emboldened militarily and politically if it is to secure the basic foundation of a healthy Islamic society.

There are for instance implications for the debate concerning the importance of the Supreme Leader's *fatwa*, given the possibility that other Islamic scholars could simply issue their own opposing verdicts. In this regard, criticism that the *fatwa* is unimportant wrongly conflates the political currency of the Supreme Leader's beliefs in determining Iranian strategic preferences with the 'authenticity' of his views themselves, and thus obscures the greater relative importance of the structural relevance of the *fatwa* in the Islamic Republic: namely, *who* can authoritatively define Iran's strategic preferences from among the *ulama*. Chapter One documented different opinions – in some instances based on technical aspects, and in others upon broader issues – concerning the types of conditions that would permit Iran to obtain or use nuclear weapons despite the existence of Islamic first principles forbidding this course of action. Among certain scholars – namely, Yazdi, Makarem Shirazi, and Javadi-Amoli – there is a clear preference for deferring either to scholarly consensus (*ijma*), or the views of the Supreme Leader himself. Outside of these clerics, others can theoretically voice their religious opinions on nuclear weapons as a way of implicitly rejecting or supporting the case for the Islamic Republic as a 'legitimate' referent object of security. In doing so, their *fatawa* would be best viewed as a vehicle for addressing the question of who has the right to declare nuclear weapons permissible or not, rather than the permissibility of nuclear weapons themselves.

Again, this additional layer to Islamic opinion-making reveals dimensions of social-construction of threat, and in particular, who is being threatened, within Iran from among the religious scholars that is currently absent from realist and orientalist accounts situated within the deterrence parameter. We may for instance consider Khomeini's decision to transform the

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role Supreme Leader into that of ‘absolute’ guardian jurist, having previously argued for a more limited role in governance for the *wali al-faqih*, as of utmost relevance to understanding the convergence of Qur’anic ontology with theology in the space of the Supreme Leader’s discourse concerning nuclear weapons. A recurring narrative suggests that as Khomeini became thoroughly acquainted with state-building at a time of war, his own perspective began to resemble that of secular realism and nationalism more than it did Islamic traditionalism or revolutionary ideology.⁶⁵² In this regard, his abandonment of the initial requirement that the Supreme Leader be a *marja al-taqlid*, paving the way for a junior scholar but seasoned politician such as Ayatollah Khamenei to become his successor, is habitually projected as a microcosm of the transition - and ‘maturation’⁶⁵³ – from Iran’s ‘First Republic’ to ‘Second Republic’: from the Islamic utopianism of pre-war Khomeini, to the realism and pragmatism of cleric-politicians such as Khamenei and also Rafsanjani.⁶⁵⁴ Certainly Khomeini’s pre-Revolutionary opinion that “the government of Islam is not absolute” but rather “constitutional [...] in that those who are entrusted with power are bound by the ensemble of conditions and rules revealed in the Qur’an and the Sunna [...] Islamic government is the government of divine law”⁶⁵⁵ is at odds with his later belief in the

⁶⁵² See Suzanne Maloney, “Identity and Change in Iran’s Foreign policy”, in Shibley Telhami and Michael Barnett (eds.), *Identity and Foreign Policy in the Middle East*, New York: Cornell University Press, 2002. p. 90.

⁶⁵³ R.K. Ramazani, “Ideology and Pragmatism in Iran’s Foreign Policy”, *Middle East Journal*, Vol. 58, No. 4, Autumn 2004, p 559.

⁶⁵⁴ See Ehteshami, *After Khomeini*, p. 28; Mehdi Moslem, *Factional Politics in Post-Khomeini Iran*, New York: Syracuse University Press, 2002, pp. 143-144, who describes this as a process of “de-revolutionization”; Ghobadzadeh, *Religious Secularity*, pp. 75-76. See also Gawdat Bahgat, “Nuclear Proliferation: The Islamic Republic of Iran”, *Iranian Studies*, Vol. 39, No. 3, September 2006, p. 316, wherein Bahgat reaches the conclusion that the death of Khomeini saw the transformation of Iranian foreign policy from ideological to self-interested and realist. In another noteworthy account, this shift is presented as the legacy of tensions between ideology and pragmatism that has existed in Iran since the sixth century B.C.. See Ramazani, “Ideology and Pragmatism in Iran’s Foreign Policy”, p. 549-559.

⁶⁵⁵ Ruhollah Khomeini, cited in Chibli Mallat, *The Renewal of Islamic Law: Muhammad Baqer As-Sadr, Najaf and the Shi’i International*, Cambridge: Cambridge University Press, 2003, p. 72.

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‘absolute’ authority of the guardian jurist (*wilayat al-faqih al-mutlaq*). In what has become an infamous letter from Khomeini to Khamenei in 1989, he states the following about the lengths to which the *wali al-faqih* can go in order to protect Iran, and ultimately Islam:

government [...] is one of Islam’s primary commandments and takes priority over all secondary commandments, even prayer, fasting, and hajj. The ruler may demolish a mosque or a home which is in the way of a road and compensate its owner with money. He may close mosques when necessary and demolish a mosque which is troublesome should it not be removable without demolition. The government may unilaterally dissolve legitimate treaties which it made with the people should they be contrary to the interests of the country and Islam. It may prevent anything which is contrary to the interests of Islam, whether it must be followed unquestionably or not, as long as this is the case. It may temporarily prevent the hajj, which is an important divine obligation, should it be against the interests of the Islamic country.⁶⁵⁶

Khamenei later cited Khomeini in order to stress this point in a meeting with the Supreme Council of the Basij-e Mostazafin, urging coherence in the definitions inside Iran of what constituted ‘greater interests’:

He said, "Preserving the Islamic Republic is one the most important obligations or the most important one". That is to say, all other issues are peripheral to this one. He showed us this direction. It is possible that you have a difference of opinion with your friend over a small or big issue, but when it comes to preserving the system, both of you are equally responsible.⁶⁵⁷

⁶⁵⁶ Ruhollah Khomeini, *Sahife-ye Nour: Vol. 20*, pp. 170-171. Republished and translated in the Iran Data Portal at Princeton University under “Admonition to Ayatollah Khamenei on the Limits of the *Valiye Faqih*’s Authority and the Course of its Stages”, <http://web.archive.org/web/20150820172545/http://www.princeton.edu/irandataportal/laws/supreme-leader/khomeini/admonitiontokhamenei/> [Accessed 11.06.16]

⁶⁵⁷ "Supreme Leader's Speech in Meeting with Members of Supreme Council of Basij-e Mostazafin", *Official Website of Ayatollah Ali Khamenei*, 27 November 2014,

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Yazdi shares such an assessment of the primacy of the ‘interests’ of Islam over laws which – according to traditionalist – cannot be circumvented:

sometimes there appear two affairs: one, an important one and a more important one, and in order to ensure the interests of Islam, the *faqih* may sacrifice what is important for the sake of what is more important. For instance, if performing the Hajj pilgrimage has harmful effects on the Islamic society, the *faqih* has the right to order people not to go to Hajj.⁶⁵⁸

Yazdi’s example of temporarily forbidding the Hajj in order to preserve other ‘interests’ considered to serve the Islamic Republic – and ultimately Islam – came to the fore in 1987 when Khomeini prohibited⁶⁵⁹ Iranians from making the Hajj pilgrimage in the following year in response to the massacre of hundreds of pilgrims which included 275 Iranians (according to official Saudi numbers)⁶⁶⁰, and again in 2016 with Khamenei issuing an analogous prohibition.⁶⁶¹ Yazdi uses another example of a child drowning in a next-door neighbour's swimming pool, arguing that it is obligatory within such a situation to disregard the usual Muslim prohibition against usurpation (*ghasb*) and enter the neighbour's property in order to save the child's life.⁶⁶² Clerics supportive of *wilayat al-faqih* predictably view it as incumbent to follow not only the religious decrees of the *wali al-faqih*, but also all other injunctions

<http://web.archive.org/save/http://english.khamenei.ir/news/1986/Leader-s-Speech-in-Meeting-with-Members-of-Council-of-Basij-e> [Accessed 11.06.16]

⁶⁵⁸ Muhammad Taqi Misbah Yazdi (Tr. Mansoor L. Limba), *A cursory Glance at the Theory of Wilayat al-Faqih*, Tehran: Ahlul Bayt World Assembly, 2010, pp. 83-84.

⁶⁵⁹ Ibid, pp. 83-84.

⁶⁶⁰ John Kifner, “400 Die as Iranian Marchers Battle Saudi Police in Mecca; Embassies Smashed in Teheran”, the *New York Times*, 2 August 1987,

<http://web.archive.org/web/20150522124428/http://www.nytimes.com/1987/08/02/world/400-die-iranian-marchers-battle-saudi-police-mecca-embassies-smashed-teheran.html> [Accessed 06.06.16]

⁶⁶¹ “This Year’s Hajj Cancelled for Iranians Due to Saudis [sic] Obstructions”, *Islamic Republic News Agency*, 29 May 2016, <http://web.archive.org/web/20160606165526/http://www7.irna.ir/en/News/82092614/> [Accessed 06.06.16]

⁶⁶² Yazdi, *A cursory Glance at the Theory of Wilayat al-Faqih*, p. 84.

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related to the governance of the affairs of Muslims worldwide. These clerics are convinced of the Islamic Republic's cosmological significance within a narrative connecting religious leadership in Iran today with the occultation. Consequently, the act of defending the Islamic Republic through whatever means necessary potentially becomes something of an ends in itself in the context of just-leadership, but again, contingent on the individual agency of the scholar.⁶⁶³ Baqer Moin for instance asks whether Khomeini's decision to transform the authority of the Guardian Jurist into that of the Absolute Guardian Jurist was made by a "Khomeini the jurisprudent" or "Khomeini the mystic".⁶⁶⁴ There is therefore a mystical component to decision-making from among the clerics within Shi'ism.

If deference to the *wali al-faqih* is yet another structure shaping expediency in its conception as an outcome of non-rationalist mystical traditions of Islamic thinking, Iran's nuclear policies could reveal to us the expansive definition of Iran as a referent object of security, and how it views its wider obligations to the Muslim *ummah*. Khamenei for instance refers to the responsibility of the *wali al-amr* – an official title levied unto him – for the "affairs of

⁶⁶³ This logic is not entirely uncontested, and has been contradicted publically in some statements by some Iranian officials. Iran's Minister of Intelligence, Mahmoud Alavi, who holds a doctorate in *fiqh* and maintains the rank of Hujjat al-Islam, commented in early 2015 that it was unacceptable for acts considered Islamically impermissible to be undertaken under the justification that they nevertheless protect the Islamic Republic. (see "To rule must be within the framework of halal and haram/Nobody's reputation should be played with", *Mehr News Agency*, 5th February 2015, <https://web.archive.org/web/20160430145434/http://mehrnews.com/news/2488256/%D9%85%D9%85%D9%84%DA%A9%D8%AA-%D8%AF%D8%A7%D8%B1%DB%8C-%D8%A8%D8%A7%DB%8C%D8%AF-%D8%AF%D8%B1%DA%86%D9%87%D8%A7%D8%B1%DA%86%D9%88%D8%A8-%D8%AD%D9%84%D8%A7%D9%84-%D9%88-%D8%AD%D8%B1%D8%A7%D9%85-%D8%A8%D8%A7%D8%B4%D8%AF-%D8%A8%D8%A7-%D8%A2%D8%A8%D8%B1%D9%88%DB%8C-%DA%A9%D8%B3%DB%8C-%D8%A8%D8%A7%D8%B2%DB%8C> [Accessed 09.06.16]) Nevertheless, it remains the salient ethos in Iran's political-religious system.

⁶⁶⁴ Baqer Moin, "Khomeini's Search for Perfection", in Ali Rahnema (ed.), *Pioneers of Islamic Revival*, London: Zed Books, 1994, p. 93.

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Muslims”: a far greater referent object than merely Iranians, or citizens of the Islamic Republic of Iran, and use this view to supplant his verdict that *wali al-amr* can declare *jiḥād* according to the consensus of religious scholars.⁶⁶⁵ Among his supporters there is little question of the scope of the *wali al-amr*. Deputy Secretary General of Hizbullah Naim Qassem for instance shares this official *nezam* view, and particularly regarding the issue of *jiḥād*. He cites Khamenei’s verdict contained in *Ajwibat al-Istifa’t* that “[i]t is a duty to obey the orders of the custodian of all Muslims on all general matters, of which defending Islam and Muslims against aggressors, tyrants and the blasphemous is one”,⁶⁶⁶ and goes on to also infer that this position constitutes an *ijmaa* among the *ulama*.

The frequent reference to deference to the opinions of the *wali al-faqih* in Iranian proclamations on nuclear weapons and other WMD also highlight a difficulty in projecting Khamenei’s *fatwa* beyond Iran’s borders. Ahmad Vaezi for instance considers certain practical difficulties in proposing a form of religious authority transcending all simultaneous truth claims from among the Shi’i *ulama*. He identifies that while proponents of the broader concept of Islamic religious authority known *wilayat al-amr al-muslimeen* – guardianship of the jurist *over all Muslims* – would have no objections to recognising and obeying a religious verdict such as Khamenei’s pronouncement against nuclear weapons possession and use, those who reject this model of religious authority would not necessarily accept such a ruling if the views of their own *marja al-taqlid* on the subject were different.⁶⁶⁷ The majority of the Shi’a either do not believe Khamenei to be the *wali al-amr* or reject the concept outright, and therefore would not follow what he would consider to be a universally binding *hukm* concerning *jiḥād*, or the use of a weapon considered by other scholars to be impermissible.

⁶⁶⁵ Turner (ed.), *Replies to Enquiries about the Practical Laws of Islam*, p. 422

⁶⁶⁶ Ali Khamenei, quoted and translated from the Arabic in Naim Qassem, *Hizbullah: The Story from Within*, London: Saqi, 2005, p. 40.

⁶⁶⁷ Vaezi, *Shia Political Thought*, p. 91.

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Scholars that do not believe in the concept of *wilayat al-faqih*, or, as with the case of some Iraqi scholars, hold different interpretations, are therefore likely to disagree with the scope of this *fatwa*. Ayatollah Mohammad Mohammad Sadiq al-Sadr claimed not only the title of *wali al-amr*, but also most knowledgeable scholar alive⁶⁶⁸. Fadl'Allah, while not making his own claim, denied that Khamenei could be considered *wali al-amr*,⁶⁶⁹ and Ayatollah Kazem al-Haeri – an Iranian born *marja al-taqlid* based in Iraq – is of the opinion that Khamenei does not even claim authority over the political affairs of Muslims in Iraq, let alone the rest of the world.⁶⁷⁰

Given these practical difficulties of gaining acceptance as the *wali al-amr*, it cannot be said that any of the rulings provided by Khamenei related either to the possession/non-possession of WMD, or any other strategic military issues, could extend beyond the borders of Iran. Particularly as the question of the Islamic Republic and *wilayat al-faqih* has become a point of orientation among politically-oriented Shi'a worldwide, "the Iranian model is no longer the object of a consensus among the Shia Islamic movements but has become a debating

⁶⁶⁸ Nir Rosen, *In the Belly of the Green Bird: The Triumph of the Martyrs in Iraq*, New York Free Press, 2006, p. 12.

⁶⁶⁹ "Azmat al-marjaiyat al-ilmiyat wa al-tanafus bayn Qom wa al-Najaf" [English: "Competition Between the Religious Authorities of Qom and Najaf"], *al-Jazeera Arabic*. Transcript of interview with Mohammad Hussein Fadl'Allah by Ahmed Mansour, 25 June 2003,

[http://web.archive.org/web/20150522133949/http://www.aljazeera.net/programs/withoutbounds/2004/6/4/%D8](http://web.archive.org/web/20150522133949/http://www.aljazeera.net/programs/withoutbounds/2004/6/4/%D8%A3%D8%B2%D9%85%D8%A9-)

[D8%A7%D9%84%D9%85%D8%B1%D8%AC%D8%B9%D9%8A%D8%A9-](http://web.archive.org/web/20150522133949/http://www.aljazeera.net/programs/withoutbounds/2004/6/4/%D8%A3%D8%B2%D9%85%D8%A9-%D8%A7%D9%84%D9%85%D8%B1%D8%AC%D8%B9%D9%8A%D8%A9-)

[D8%A7%D9%84%D8%B9%D9%84%D9%85%D9%8A%D8%A9-](http://web.archive.org/web/20150522133949/http://www.aljazeera.net/programs/withoutbounds/2004/6/4/%D8%A3%D8%B2%D9%85%D8%A9-%D8%A7%D9%84%D8%B9%D9%84%D9%85%D9%8A%D8%A9-)

[D9%88%D8%A7%D9%84%D8%AA%D9%86%D8%A7%D9%81%D8%B3-%D8%A8%D9%8A%D9%86-%D9%82%D9%85-%D9%88%D8%A7%D9%84%D9%86%D8%AC%D9%81](http://web.archive.org/web/20150522133949/http://www.aljazeera.net/programs/withoutbounds/2004/6/4/%D8%A3%D8%B2%D9%85%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D8%A7%D9%81%D8%B3-%D8%A8%D9%8A%D9%86-%D9%82%D9%85-%D9%88%D8%A7%D9%84%D9%86%D8%AC%D9%81) [Accessed 09.06.16]

⁶⁷⁰ "Statement of the Religious Authority Grand Ayatollah Kazem al-Husseini al-Haeri to Clarify Guardianship in Iraq", *Official Website of Ayatollah Kazem al-Husseini al-Haeri*, 27 July 2003. Original document archived at <http://web.archive.org/web/20150522134614/http://1.bp.blogspot.com/->

[8CvLCB3sjJ8/Tbrs1pvdDhI/AAAAAAAAA1c/ToJOy40V_Ml/s1600/210502_10150177654344907_155138739906_6625499_4598617_o.jpg](http://web.archive.org/web/20150522134614/http://1.bp.blogspot.com/-8CvLCB3sjJ8/Tbrs1pvdDhI/AAAAAAAAA1c/ToJOy40V_Ml/s1600/210502_10150177654344907_155138739906_6625499_4598617_o.jpg) [Accessed 11.06.16]

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point and even an issue over which movements disagree”.⁶⁷¹ Accordingly, it is not a given that Shi’a outside of Iran would accept Khamenei’s securitisation at a time of war, as evidenced by his difficulty in gaining traction as a legitimate political authority in Iraq. As such, the official designation of Ayatollah Khamenei as *wali al-amr* is more symbolic than it is a fully functioning office, denoting an epistemic space within which the Islamic Republic’s political system facilitates clerics and their followers to create a bring into being a theology of the state. The disagreement between Ayatollah Khomeini and Ayatollah Hassan Tabataba’i Qomi is a case in point. In 1985, under house arrest, Ayatollah Qomi issued a *fatwa* stating that the war had become “completely haram [...] Large sums of money are wasted. Towns and villages are destroyed. Women are widowed and children are orphaned”.⁶⁷² Again, this also has implications for the ‘reach’ of the Iranian Supreme Leader’s religious opinions beyond Iran’s borders, where the model of *wilayat al-faqih* is more contested.

At the same time more substantively, it appears that within the Iranian political decision-making apparatus, obedience to the *fatawa* of the Supreme Leader is well-understood. Former nuclear negotiator Hossein Mousavian claims in his memoirs of the nuclear crisis that the negotiation team believed wholeheartedly not only in the existence of a *fatwa* prohibiting nuclear proliferation in Iran, but that its existence was sufficient in order to prevent Iran from developing nuclear weapons.

We trusted that the supreme leader’s fatwa banning the use or production of nuclear weapons as ensuring this, and hence we could confidently reject foreign claims that Iran was secretly pursuing nuclear weapons.⁶⁷³

⁶⁷¹ Louër, *Shiism and Politics in the Middle East*, p. 66.

⁶⁷² See excerpts of a *Voice of Iran* report dated 17 March 1985 in Ehteshami, *After Khomeini*, p. 23.

⁶⁷³ Mousavian, *The Iranian Nuclear Crisis*, p. 313.

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Although the Islamic Republic therefore encourages and relies on the political engagement of many clerics as a means to exploit its own local and regional dynamics of religious authority for political purposes (such as the position of the Friday prayer leader), its most important decisions related to domestic and foreign affairs are impacted only by the country's most 'senior' clerics; the majority of which are designated as such due to their belief in the authority of the guardian jurist and their acquiescence to his transcendental mandate on matters of the state.

In this regard, a contradictory *fatwa* concerning nuclear weapons cannot simply emerge and gain immediate traction in the Islamic Republic's decision-making based on the emergence of tactical or strategic incentives for their acquisition or use. It is on this point that the profound theological differences between Sunni and Shi'i schools in their engagement with the ethics of warfare are at their most prominent. Former CIA analyst Robert Baer's reading of suicide bombing is here worthy of attention:

[For the] Iranians [...] it's military. Once they have [sic] driven the Israelis out of Lebanon, that was the end of suicide bombings. You don't see another one. [...] the discipline is incredible. You don't see young kids putting on vests, like in Pakistan, and walking into a crowded area, a crowded market, or in Iraq, blowing themselves up. You don't see Shia in Iraq, for instance, putting on suicide vests and walking into a mosque.⁶⁷⁴

Baer implies that it was the strict hierarchy of religious authority in Shi'ism which permitted the Shi'a to be much more predictable in the types of tactics they would employ. He contrasts the deference of Hizbullah members to Ayatollah Fadl'Allah in order to secure legal

⁶⁷⁴ Harry Kreisler, "Dealing with Iran: Conversation with Robert Baer, Author and Former CIA Operative", 28 July 2009, http://web.archive.org/web/20100717034607/http://globetrotter.berkeley.edu/people9/Baer/transcript_baer.pdf [Accessed 07.06.16], pp. 9-10.

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permission to carry out the execution of hostages during the hijacking of Kuwait Airways Flight 422 in 1988, with the recourse of members of (Sunni) Hamas to their own judgement based on materials largely encountered on the internet to justify killing civilians in restaurants.⁶⁷⁵ Baer's suggestion that these differences in structures of religious authority run concomitant with distinctive normative visions which underpin strategic preferences for the Sunnis and Shi'a respectively reflects a functionalist view of Islamic law and Shi'ism in the context of war. Yet despite falling into the trap of ascribing a wholly rationalist logic to the nature of knowledge production in Shi'ism within the context of military strategy and tactics, he is correct in locating certain outcomes for how to conduct warfare in conflicting structures of religious authority. As such, Baer recognises that the absence of a formalised 'clergy' in Sunnism permits its adherents to seek legitimisation for a range of violent acts from a plurality of informal authority figures – with the threshold for Islamic scholarship at times set quite low. The Shi'a, by contrast, are obligated to acquire permission or legitimation for violent acts only from a narrow choice of authorities, making it much more unlikely that they will encounter verdicts which run counter to consensuses.⁶⁷⁶ In the specific context of the Islamic Republic, this hierarchy is even more solidified. There is not, as is perhaps the case within Sunnism,⁶⁷⁷ a truly 'free-market' of religious opinion on nuclear weapons. In this respect we may even consider the existence of the office of Supreme Leader a vital component of maintaining the non-proliferation regime with Iran, due to the resonance that his proclamations will have both strategically and tactically in the country. Even in the West, there is a relatively solid consensus that the Supreme Leader's religious opinions remain the most important in terms of strategic policy formation in Iran today. At a Foreign Affairs Committee held in 2007, it was heard that subsequent to the Supreme Leader's *fatwa*

⁶⁷⁵ Ibid, p. 10.

⁶⁷⁶ Ibid, pp. 9-10.

⁶⁷⁷ Khan and Ramadan, *Contemporary Ijtihad*, pp. 76-77.

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forbidding the development, production, stockpiling and use of nuclear weapons that "discussion of any possible costs and benefits of Iran acquiring nuclear weapons [was] prohibited in official government institutions, even at the highest level of decision-making involving the Supreme National Security Council".⁶⁷⁸

Certain diplomatic opportunities could even potentially emerge from global recognition of the Supreme Leader's *fatwa* forbidding nuclear weapons, particularly in enhancing US-Iran relations through implicit recognition of the political as well as theological legitimacy of the Islamic Republic, and the specific office and faculties of the *wali al-faqih*. This would also offer an opportunity for enhanced 'signalling' between the Islamic Republic and the West in the context of its nuclear policies, and other strategic issues, based upon Islamic institutions and traditions. As Hossein Mousavian argues, 'globalising' Khamenei's *fatwa* could help redress fears concerning Iran's commitment to non-proliferation based on reference to the language and concepts Iran itself uses within in its own political system.⁶⁷⁹ This would present an opportunity to reference and privilege non-secular constituents of Iran's strategic preference and policies in serving goals that remain conceptually part of the 'deterrence parameter' (namely, curtailing Iranian nuclear proliferation).

Analogical Reasoning

Chapter Four established that mainstream traditions of Shi'i jurisprudence formally reject *qiyas* as a source of Islamic law, and refer instead to '*aql* (intellect). This represents a barrier for Shi'i *ulama* today in Iran to deduce the Islamic permissibility of nuclear weapons based solely on reference to the cases contained in Qur'anic ontology or secondary sources, or the case-studies examined in Chapter Four. In sum, it is insufficient according to orthodox Shi'i-

⁶⁷⁸ *Global Security: Iran: Fifth Report of Session 2007-08*, House of Commons Foreign Affairs Committee, 2 March 2008, The Stationary Office Limited, Ev 120, point 23.

⁶⁷⁹ Mousavian, "Globalising Iran's Fatwa Against Nuclear Weapons", p. 147.

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Islamic legal methodology to rely upon similar yet distinct cases found in legal precedents as the sole basis for contemporary law-making concerning new weapon technologies or military doctrines. The Shi'i reasoning for rejecting *qiyas* furthermore provide some insight into the difficulty of associating modern clerical pronouncements concerning nuclear weapons explicitly with *realpolitik* on a reading of *fatawa* that is informed primarily by preconceived notions of deterrence logic or strategic preferences in a self-help anarchic system. Mutahhari describes *qiyas* as “based upon conjecture, surmise, and superficial similarities”. He continues: “if the foundations of the religion are to be laid on [...] *qiyas*, surmise and guess-work, it will lead to its destruction.”⁶⁸⁰

Theoretically this should empower religious scholars to themselves engage in *ijtihad* in order to produce new positions on nuclear weapons based on reference to both contemporary circumstances and their own philosophical and theological outlooks. The outcomes of social-construction within this particular legal and discursive process again cannot be adequately projected with reference to the deterrence parameter. Specifically, the process challenges the essentialist conceptualisation of Islam as an influence over Iranian strategic preferences given the centrality of *ijtihad* and *'aql* – rather than ahistorical Islamic precedents *per-se* – as the basis for *fatawa* concerning nuclear weapons. Here, even Qur'anic ontology cannot be considered a unitary, unmoving dogma incompatible with fluid definitions of interests and threats found within strategic thinking.

The Shi'i *ulama* surveyed draw upon a range of considerations in addition to the presence of precedents found in Islamic history, and both Qur'anic ontology and secondary sources stimulate a far more complex process of securitisation in the *fatwa*-making process than what

⁶⁸⁰ Mortaza Mutahhari (Tr. Mahliqa Qara'i), “The Role of Reason in *Ijtihad*”, *al-Tawhid Islamic Journal*, Vol.4, No. 2, n.d.. Republished by *al-Islam*: <http://web.archive.org/web/20160423130554/http://www.al-islam.org/al-tawhid/vol4-n2/role-reason-ijtihad-ayatullah-murtadha-mutahhari/role-reason-ijtihad> [Accessed 09.06.16]

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is assumed in orientalist accounts. Neither Qur'anic ontology nor secondary sources alone are adequate for an assessment of what the influence of religion on Iran's strategic preferences towards nuclear weapons can be so long as these aspects are divorced from a consideration of how individual scholars socially construct threat and referent objects of security within their own theological outlooks. Today, one cannot therefore consider the impact of Islam on Iranian strategic preferences with reference to previous instances of mass destruction being encountered in legal or historical sources unless they are assessed at all three levels of the analytical framework developed in Chapter Four.

The *fatawa* surveyed in Chapter One indicate that some contemporary Iranian scholars have in fact engaged with what appear to be elements of analogical reasoning in the articulation of their views, but also the exercise of what appears to be *ijtihad* and therefore '*aql*. This makes the process of evoking precedents in Muslim history (or in legal scholarship) based on similar considerations related to prohibitions against mass destruction a more creative one, inviting scholars to subject historical incidents where weapons capable of mass destruction were used to contemporary theology. Recalling evidence surveyed in Chapter Four, a number of religious scholars reference previous cases – whether contained in secondary sources like *ahadith* or otherwise – of weapons associated with mass destruction in defining their own positions on *jihad* and nuclear weapons. Al-Sadr references 'hazardous weapons', and includes flooding, incendiary weaponry (namely, *naft*), deployment of poison, and "other means that might exist". His *fatwa* is important as it points to the existence of a *hadith* referring to the deployment of these weapons in the "land of the polytheists" – territories likely at the time to be hostile to either Islam or the Muslim community.⁶⁸¹ In spite of his later specification that his *fatwa* is contingent on there being no *maslahah*, al-Sadr appears to

⁶⁸¹ Mohammad Mohammad Sadiq al-Sadr, *Fiqh al-Mawduat al-Hadithah*, Beirut: Dar al-Adwa lil-Tiba'ah wa al-Nashr wa al-Tawzi', 1998, p.106. Translation in in Ditto, "Go, Learn About Atoms", p. 27.

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conceive a scenario as closely associated with an ‘objective’ existential threat as possible from Qur’anic ontology in order to underline the impermissibility of using weapons capable of mass destruction. Similar to al-Sadr, Ayatollah Lankarani also cites previous instances found in secondary sources which refer to mass destruction when articulating his own views. While Lankarani unsurprisingly links the impermissibility of chemical weapons to the prohibition of poisons found in Qur’anic ontology, what is most of note however is that he specifically acknowledges that a too close fixation on new types of weapons – whether in the weapons themselves, or delivery systems that are used – distracts from what should be the primary concern of Islamic law-making on nuclear weapons, which we may now identify as rooted in ‘first principles’: the humanitarian impact of mass destruction itself. In this regard, we can also discern a parallel between Lankarani’s position and that of Khamenei, who also cites the example of prohibitions against the deployment of poisons in his reasoning. Elsewhere, Lankarani’s position that the prohibition of using poison in *ahadith* also encompasses the Islamic prohibition on nuclear weapons as it extends to the destruction of property points to a highly sophisticated argument based on the discernment of first-principles contained in Islam related to mass destruction, rather than specific effects of different weapon types.

Tactical and Strategic Modernity

The views of Mutahhari most explicitly invoke a necessity to maintain modern tactical and strategic weapons of warfare. In Islamic discourse, such concerns centre not only upon the perceived need for the Muslim community to possess (and ultimately use) the most ‘effective’ military means for securing itself from existential threats, but also the conceptualisation of a broad entitlement that the *ummah* has to the most modern military capabilities. Mutahhari, Sadegh Shirazi, and Safi Golpayegani all cite the ‘steed’ verse of the

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Qur'an⁶⁸² in arguing for the need to maintain the most modern of weapons. Elsewhere, Khamenei believes that:

[i]n the world of today where military weapons and techniques have developed so greatly and the enemies of Islam are equipped with the strongest weapons, it is not possible to defend Islam and Muslim countries without learning the military technology and techniques of today.⁶⁸³

Within a realist paradigm, this would likely be read as legitimising the pursuit of a 'Muslim bomb'. Iranian officials sometimes describe Iran's own strategic doctrines using terminology and phraseology found in the discourse of deterrence theorists (see Chapter Three) of the 1950's and 1960's,⁶⁸⁴ rationalising Iranian military policy in the same language used by secular states. After testing the Shahab-3 missile in 1998, Iran's Defense Minister, Ali Shamkhani, stated that "we have prepared ourselves to absorb the first strike so that it inflicts the least damage on us. We have, however, prepared a second strike which can decisively avenge the first one, while preventing a third strike against us".⁶⁸⁵ Nevertheless, orthodox strategic discourse associated with nuclear weapons is at other times relied upon in order to reinforce the case in Iran against nuclear weapons proliferation. Iran's ambassador to the IAEA, Ali Asghar Soltanieh, stated in 2010 that Iran could not "compete in terms of the

⁶⁸² See chapters one and four.

⁶⁸³ Mohammad Husayn Falah-Zadeh, *A Guide to Religious Laws According to the Verdicts of Imam Khomeini with Verdicts of Sayyid Ali Khamene'i*, Qom: Ansariyan Publications, 2005, p. 205.

⁶⁸⁴ Eisenstadt & Khalaji, "Nuclear Fatwa: Religion and Politics in Iran's Proliferation Strategy", Policy Focus #115, September 2011, pp. 3-4.

⁶⁸⁵ Ali Shamkhani, quoted in Ibid, pp. 3-4.

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numbers of warheads possessed by the nuclear-armed powers, so if it seeks to produce nuclear weapons, it will be in a disadvantageous position compared with these countries”.⁶⁸⁶

Recalling Chapter Two which documented the situation of Iranian strategic preferences in orientalist accounts of both Iran and Islam, and Chapter Three which established the rise of a realist paradigm of nuclear proliferation (and namely, the assumption that universal insecurity under anarchy compelled states to obtain nuclear weapons and use them for deterrence purposes), it is worth challenging the basic assumption that nuclear weapons are perceived by the *ulama* in Iran as representing the most ‘modern’ or suitable weapons for securing the survival of the Islamic Republic. Indeed, although sentiments such as those presented by the likes of Ward Wilson⁶⁸⁷ concerning the relative backwardness of nuclear weapons today compared to other more precise and efficient alternatives could appear academic, there is some evidence which suggests that the Islamic Republic of Iran does not necessarily associate nuclear weapons with modernity. In emphasising that each era has its own unique conceptualisation of ‘modern’ weaponry for instance, Mutahhari demonstrates his awareness of the contingency of our interpretation of the ‘steed verse’ on the social-construction of military modernity.

Given the previous discussion in Chapter Four of the potential that Iran’s clerics may not view nuclear weapons as the most modern weapons for Iran, we should now consider how these counter-narratives of nuclear weapons as part of broader conceptions of tactical and strategic modernity – beyond Eurocentric definitions, and rooted in an Islamic framework – need not be taken on faith in the Supreme Leader’s *fatwa* alone. For example, in the area of

⁶⁸⁶ “Iran Will Never Make the Mistake to Build Nuclear Weapons; Envoy,” *Tehran Times*, 3 November 2010, http://web.archive.org/web/20101104052341/http://www.tehrantimes.com/index_View.asp?code=229718 [Accessed 12.06.16]

⁶⁸⁷ Wilson, *Five Myths about Nuclear Weapons*, pp. 54-65.

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nuclear energy policy, the Revolution did not immediately cast nuclear technology and industry in light of a ‘third world’ perspective of development.⁶⁸⁸ The view of nuclear technology as an opportunity for Iran to break its dependency on the West was not automatic. Many early revolutionaries held a distinctly different view of nuclear technology – namely, that it was uneconomical, and would further encumber Iran and force it to remain reliant on Western states.⁶⁸⁹ For these reasons the first Prime Minister of Revolutionary Iran, Mehdi Bazargan, halted construction of two reactors in Bushehr, despite Iran having already paid Germany 6 billion Deutsch marks to build them,⁶⁹⁰ and Khomeini would declare that Bushehr’s silos be used to store wheat.⁶⁹¹ Political factors would also come to impact strategic preferences concerning nuclear technology and weapons in Iran after the Revolution. Iran’s stark isolation in the middle of the war with Iraq certainly played a role in influencing Khomeini’s approval of the decision to authorise the resumption of the nuclear programme,⁶⁹² and “quiet progress”⁶⁹³ made by Iran during the war – including it starting its gas centrifuge program in 1985, and its acquirement of P-1 centrifuge blueprints and designs for a gas centrifuge enrichment plant in 1987 from the A.Q. Khan network⁶⁹⁴ – could be interpreted as an indication of external international factors having influenced the Khomeini’s decision-making.

⁶⁸⁸ For accounts of these views in the context of India, see Maddock, *Nuclear Apartheid*, p. 7; Priya Chacko, *Indian Foreign Policy: The Politics of Postcolonial Identity from 1947-2004*, Oxford: Routledge, 2013, pp. 36-40.

⁶⁸⁹ Naji, *Ahmadinejad*, p. 116.

⁶⁹⁰ Ibid, p. 116.

⁶⁹¹ Ali Vaez and Karim Sadjadpour, *Iran’s Nuclear Odyssey: Costs and Risks*, Carnegie Endowment for International Peace, 2013, p. 7.

⁶⁹² Ibid. p. 8.

⁶⁹³ Mousavian, *The Iranian Nuclear Crisis*, p. 53.

⁶⁹⁴ Ibid, p. 53

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Yet there were certainly many discourses at play in Iran at the time of the Revolution which could have lent themselves to more pro-active attitudes among the *ulama* – in line with the steed verse cited by the likes of Mutahhari – towards both nuclear energy and weapons, but for various reasons did not. Jalal Al-e Ahmad is at times cited as a significant influence over contemporary nuclear policy in Iran, including how the *ulama* as well as politicians would come to view nuclear energy as a signifier of modernity and self-sufficiency.⁶⁹⁵ Born in 1923 to a religious family that included one of the most prominent revolutionary clerics of the Islamic Revolution, Ayatollah Mahmoud Taleghani,⁶⁹⁶ Al-e Ahmad came to channel Western materialist political philosophies through the discourse of Islam in the context of mid- to late-20th century Iran. In many ways he represented a certain hybridity of Islamic and materialist epistemologies of the time, belonging to

a generation that was once inspired by the West yet politically opposed to; [...] xenophobic towards the West, yet drawing inspirations from the thoughts of its leading thinkers; [...] dodging religion and traditionalism, yet pulled towards them; [...] aspiring for such modernist goals as democracy, freedom, and social justice, yet sceptical of their historical precedents and contemporary problems; [...] in need and in search of a definition of “self” and “other”.⁶⁹⁷

Most renowned of the ideas contained in his political writings is his notion of ‘Gharbzadegi’: variously translated as ‘Westoxification’, or ‘Occidentosis’. It is also this idea that has been

⁶⁹⁵ Patrikarakos, *Nuclear Iran*, pp. 220-221; Adib-Moghaddam, *Iran in World Politics*, p. 75; Scott Peterson, *Let the Swords Encircle Me: Iran – A Journey Behind the Headlines*, New York: Simon & Schuster, 2010, p. 123.

⁶⁹⁶ Al-i Ahmad, *Occidentosis*, p. 9.

⁶⁹⁷ Mehrzad Boroujerdi, “Gharbzadegi: The Dominant Intellectual Discourse of Pre- and Post-Revolutionary Iran”, in Samih K. Farsoun and Mehrdad Mashayekhi (eds.), *Iran: political Culture in the Islamic Republic*, Oxford: Routledge, 2005, p. 27.

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linked most explicitly with Iran's nuclear trajectory.⁶⁹⁸ In defining the concept in his work of the same name – written initially as a government report⁶⁹⁹ – Al-e Ahmad argues that Iran faced a cultural, industrial and scientific dependency on the West which subjugated the nation. “Our age is one of two worlds: one producing and exporting machines, the other importing and consuming them and wearing them out”.⁷⁰⁰

Within Al-e Ahmad's narrative Iran is imagined as lacking not only the physical possession of modern technology, but also a capacity to master and comprehend the “mysteries of their structure and construction”.⁷⁰¹ In one example, Al-e Ahmad critiques Japan: a country which he considers to have far outstripped Iran and other nations in industrial capacity, but nevertheless being outstripped by Western states in this arena. Tellingly, he uses the example of the American atomic bombing of Hiroshima and Nagasaki as a device to carry his argument that failure to master modern technology would keep Iran – like Japan – in a state of perpetual insecurity, and ultimately servitude:

Let us concede that we did not have the initiative to familiarize ourselves with the machine a hundred years ago, as Japan did. Japan presumed to rival the West in mechanosis and to deal a blow to the czars (in 1905) and to America (in 1941) and, even earlier, to take markets from them. Finally the atom bomb taught them what a case of indigestion follows a feast of watermelons.⁷⁰²

⁶⁹⁸ For attempts at linking *gharbzadegi* with Iran's nuclear policies, see Patrikarakos, *Nuclear Iran*, pp. 112-113; Peterson, *Let the Swords Encircle Me*, p. 123.

⁶⁹⁹ Mehrzad Boroujerdi, *Iranian Intellectuals and the West: The Tormented Triumph of Nativism*, New York: Syracuse University Press, 1996, pp. 66-67.

⁷⁰⁰ Al-i Ahmad, *Occidentosis*, p. 30.

⁷⁰¹ See Jalal Al-e Ahmad, “The Outline of a Disease”, in Lloyd Ridgeon (ed.), *Religion and Politics in Modern Iran: A Reader*, London: I.B. Tauris, 2005, p. 185 (n. 59). See also Adib-Moghaddam, *Iran in World Politics*, p. 20.

⁷⁰² Al-i Ahmad, *Occidentosis*, p. 31.

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In this context, Iran's nuclear programme has more recently become constructed as a vehicle for Iran to achieve its self-sufficient utopia,⁷⁰³ as well as an ends in and of itself. By 'mastering the atom', Iran is able to ensure that it is never forced to rely on the West (or 'East') for its energy consumption or own development, or placed at the mercy of its superior technology. Professor Saied Reza Ameli, founder of the Faculty of World Studies at the University of Tehran – and an Islamic scholar in his own right – reinforces this view: "the West does not fear an Iranian nuclear bomb: they fear Iran's bomb of the mind".⁷⁰⁴ In this reading of Iran's political culture, military application of nuclear technology plays a secondary role to its symbolic stature as signifiers of economic and developmental independence for Iran.

Al-e Ahmad's ideas have influenced not just nationalists in Iran, but also clerics who today articulate the necessity of the country's nuclear programme inside a narrative where Iran's socio-economic and ultimately spiritual problems can be pinpointed to a sweeping technological and cultural dependency on the West. We may find significance of *gharbzadegi*, for instance, in the rhetoric of Ayatollah Jannati:

Look how absentminded they are. They have gone fully insane. The Iranians work manly and mightily, leaving behind the entire hurdles in the way of their advancement and then, Israel, which is itself heading towards downfall and its weak days, having tasted the agony of defeat in confrontation with a small portion of Gaza residents and its will to suppress them, is now bragging we won't permit Iran to have access to nuclear technology.⁷⁰⁵

⁷⁰³ See Adib-Moghaddam, *Iran in World Politics*, p. 75.

⁷⁰⁴ Interview with Professor Saied Reza Ameli in Tehran, Iran on Wednesday 11th December 2013.

⁷⁰⁵ Ahmad Jannati, quoted in "Iran Spaceshot Hit U.S. and Israel in the Head like a Hammer", *Tehran Times*, 14 February 2009,

http://web.archive.org/web/20160220150031/http://www.tehrantimes.com/Index_view.asp?code=189249

[Accessed 12.06.16]

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Ayatollah Noori Hamedani puts forth another comprehensive view succinctly: “almighty God has created nuclear energy in the nature, and it is all the humans' right to exploit and benefit from it. The West's propaganda [against the Iranian nuclear energy plans] is in the fear of Muslims' advancements.”⁷⁰⁶ Ayatollah Jannati elaborates further:

[j]ust as the Westerners have confessed, after joining the nuclear club of the big powers, Iran has now entered the group of the eight industrial countries that are capable of launching satellites [...] Those who observe a little justice in expressing their stands when they read such confessions admit that Iran is constructing its future today.⁷⁰⁷

Again, we find that *gharbzadegi* is inset within the parameters set by Islamic theology for strategic preferences as much via more mystical Shi'i beliefs concerning justice as normative ideas about development and modernity, allowing Islamic discourses concerning ‘national security’ to overlap with legal views on property and entitlement. It is here that ‘resistance’ against foreign attempts at denying Iran its lawful entitlements become projected as a religious and not just civic duty, as exemplified perhaps most vividly in the dominant Shi'i narrative of Fadak,⁷⁰⁸ and the following sermon attributed to Imam Ali:

⁷⁰⁶ “Iran's Ayatollah Noori-Hamedani says Nuclear Energy is the Right of all Human Beings”, *Hawza News*. Translated by *Islamopedia Online*, 22 April 2010, <https://web.archive.org/web/20160430151737/http://www.islamopediaonline.org/fatwa/irans-ayatollah-noori-hamedani-says-nuclear-energy-right-all-human-beings> [Accessed 08.06.16]

⁷⁰⁸ In Shi'i sources, the Prophet had left the land of Fadak to his daughter Fatima as inheritance, only for the land to be appropriated by the Caliph Abu Bakr after Mohammad's death. The denial of Fadak to Fatima is unanimously interpreted within the Shi'i community as having a cosmic relevance of injustice, and a reminder not to tolerate efforts which go against God's will.

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By Allah, even if I were to be given all the domains of the seven heavens with all that exists under the skies in order to disobey Allah to the extent of snatching one grain of barley from an ant, I would never do it.⁷⁰⁹

This more cosmic view of ‘rights’ in Islam, and particularly from within the Shi’i traditions, connects the trajectory of Iran’s nuclear programme to all three components of an Islamic episteme: Qur’anic ontology (i.e. revelation and pure divine authority), the *sunnah* of the Prophet and Imams, and theology. As an outcome, an Islamic view of Iran’s nuclear rights conflates entitlement to nuclear energy and technology with obedience to divine authority, and likewise the denial of this entitlement with *taghut* (transgression).⁷¹⁰

Today, we find that Iran’s *ulama* by and large speak of international laws, treaty arrangements, and other obligations as acceptable so long as they can be situated within this Islamic episteme, and that they therefore do not conflict with a dominant narrative of what the nuclear programme represents, and the grander, more mystical processes within which its trajectory is shaped. Implicitly, this conflates Iran’s rights as a state with rights and obligations rooted in Qur’anic ontology in that they both reflect a rigid legal standard governing Iran’s nuclear policies which transcend realism, salient for Iran even as the anarchic international system defines the strategic preferences of other states. It is for this reason that the right to enrichment has been a perennial source of controversy between Iran and the P5+1 in negotiations; Iran insisting that its right to enrich transcends the terms of the NPT, and the West insisting that this right is entirely dependent on a state being seen to have lived up to specific obligations within the Treaty. Iran sees itself as having this right regardless of its NPT membership, and this is where the ideas of Al-e Ahmad combine with traditional Shi’i-Islamic theology to form a poignant ‘national narrative’ in Iran. This

⁷⁰⁹ Al-Jibouri (ed.), *Peak of Eloquence*, p. 690.

⁷¹⁰ See Chapter Four.

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narrative goes some way towards explaining why the Islamic Republic as frequently proposed ‘nuclear ‘swap’ deals between 2005-15, where Iran would continue to enrich uranium at a level below 20%, export it to a third-party country for further enrichment, but finally be forced to import this fuel for its reactors. Indeed, Iran’s reference to both religion and its scepticism concerning the deterrent value of nuclear weapons while participating at various international forums centring on disarmament and non-proliferation do provide further evidence of the possibility that the steed verse may even contribute to case for non-proliferation in Iran. In this regard, Iran’s envoy to the IAEA read an official statement at the 2014 Humanitarian Impact of Nuclear Weapons conference held in Austria; citing both religious and strategy:

Divine Religions are against the acquisition and use of weapons of mass destruction (WMDs), particularly nuclear weapons. In our view the access to and use of WMDs is opposed to our religious and Islamic teachings. The Islamic Republic of Iran, being a victim of WMDs, is of strong belief that possession of nuclear weapons has not produced and does not ensure security for any country and the only absolute guarantee against the threat of these inhumane weapons is their total elimination under strict international control.⁷¹¹

Such sentiments were also expressed earlier, albeit more crudely, by former President Ahmadinejad:

⁷¹¹ “Statement by H.E. Ambassador Reza Najafi, Permanent Representative of the Islamic Republic of Iran, Before the International Conference on Humanitarian Impact of Nuclear Weapons”, Vienna, Austria, 8-9 December 2014,

http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/Statements/HINW14_Statement_Iran.pdf [Accessed 12.03.16], p. 1.

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The period and era of using nuclear weapons is over [...] Nuclear bombs are not anymore helpful and those who are stockpiling nuclear weapons, politically they are backward, and they are mentally retarded.⁷¹²

Taken together, such sentiments point to an acceptance within Iran of its entitlement – both in line with the steed verse, and other potent national narratives (such as those developed by Al-e Ahmad) – of Iran to the most modern military technologies beyond nuclear weapons.

Conclusion

This chapter has revealed elements of religious thinking about nuclear weapons which cannot be adequately confined to the deterrence parameter, and more specifically its realist and orientalist ontologies. These elements, first broadly identified in Chapter One, were narrowed down and discussed in the present chapter – based on the analytical framework developed in the previous chapter – as:

1. Islamic ‘first principles’ on mass destruction.
2. *Maslahah* and the ‘state of exception’.
3. Deference to the Supreme Leader.
4. Analogical reasoning.
5. Tactical and strategic modernity.

Concerning Islamic ‘first principles’, it was established that Qur’anic ontology does set forth some moral absolutes related to limiting and avoiding mass destruction (and specifically, the deaths of non-combatants) at times of war, and that this ontology can be seen in the views of religious scholars in Iran today concerning nuclear weapons. Though there are visible limits

⁷¹² Mahmoud Ahmadinejad, quoted in Trisha Sertori, “Iran’s Ahmadinejad Says Anyone Stockpiling Atom Bombs “Retarded””, *Reuters*, 8 November 2012, <http://web.archive.org/web/20160430152040/http://www.reuters.com/article/us-iran-indonesia-ahmadinejad-idUSBRE8A713C20121108> [Accessed 11.06.16]

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to this Qur'anic ontology in the views of scholars like Khomeini and Yazdi, who justify any means necessary to protect Muslim territories from existential threats, the record of the Islamic Republic during the Iran-Iraq war shows enormous resolve on the part of Iran to not use WMD based on Khomeini's own theology. This theology constructed Khomeini as a 'different' leader to Saddam, and it was therefore ultimately his self-perception which pushed him away from a view that Iran was justified to use WMD reciprocally against Iraq. This provides an avenue for understanding the complex role of Qur'anic ontology and theology in Iranian decision-making concerning nuclear weapons, beyond the notion that Iranian leaders – in being rational actors – are compelled to obtain nuclear weapons to secure the Islamic Republic from existential threats.

This brought us to the issue of *maslahah* and the 'state of exception'. It was argued that numerous clerics reference 'public interest' when articulating their views on nuclear weapons and other WMD, and that this could be an important avenue for understanding the social-construction of both threat and threatened within an Islamic Republic, and in the context of the Imamate. Although both Wael Hallaq and Khaled Abou el-Fadl raise important questions regarding the extent to which an Islamic state can be considered truly 'Islamic' if it compromises Qur'anic ontology in the name of some national interest, the theological and even mystical dimension to clerical engagement with strategic policy in Iran presents a unique narrative of expediency. This narrative combines the mechanism of *maslahah* with the eschatology of the Imamate and just-rulership, and in effect gives way to a revolutionary form of 'truth-making' in the Islamic Republic of Iran. In this regard, what may appear to be overtly realist policies are themselves steeped in a religious narrative which shapes when and where states of exception can emerge without causing the Islamic episteme to cave completely to competing 'meta-narratives' of strategic policy.

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The issue of deference to the Supreme Leader is also a significant component. Given the centrality of a single cleric in the decision-making process of the Islamic Republic, and *wilayat al-faqih* more generally, certain pronouncements from clerics inside Iran on the issue of nuclear weapons and other WMD can be discerned as a form of legitimization. Here, there is a disparity between the orientalist narrative of competing *fatawa* and irrational clerics with the potential to change Iran's nuclear course, and the structures of religious authority that operate in the strategic sphere. Here, the pronouncements of Khamenei on strategic issues are taken to be authoritative regardless of the views of other clerics. In this regard, it is the place of other scholars in the Islamic Republic to either challenge the Supreme Leader's anti-nuclear *fatwa* from without the *nezam* – and therefore, outside the scope of political and strategic influence – or reinforce it from within.

On analogical reasoning, it was established briefly that clerics today do refer to previous instances contained in both Qur'anic ontology and secondary sources of mass destruction in articulating contemporary views. Yet although it is tempting to therefore return completely to historical precedent in discerning the veracity of today's scholars, we are reminded that this form of analogical reasoning is reliant upon *ijtihad*. This means that clerical views on nuclear weapons cannot be divorced from the specific time and place within which they are produced, and that orientalist accounts of the impact that religion could have on Iranian strategic preferences are therefore flawed due to their essentialism.

Finally, there is a possibility– based on religious considerations, and the trajectory of popular narratives of nuclear energy more broadly in the country – that Iran may not even imbue nuclear weapons with the same deterrent value as other states. Although the steed verse is frequently cited by clerics in Iran today in their pronouncements on nuclear weapons and other WMD, this verse addresses tactical and strategic modernity in a non-linear fashion,

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leaving a possibility for the *ulama* to emphasise the need to obtain (or not obtain) nuclear weapons, or master (or not master) nuclear energy technology based upon mystical concerns related to justice, entitlement and divine guidance. These go beyond a narrow interpretation of the steed verse, as applied by some Muslims surveyed in Chapter Four.

Chapter Six: Conclusions

Nuclear weapons neither ensure security, nor do they consolidate political power, rather they are a threat to both security and political power. The events that took place in the 1990s showed that the possession of such weapons could not even safeguard a regime like the former Soviet Union. And today we see certain countries which are exposed to waves of deadly insecurity despite possessing atomic bombs.⁷¹³

Ayatollah Seyed Ali Khamenei, 2012

This thesis began with an overarching question: what kind of impact can religious authority and Islamic belief have in the Islamic Republic of Iran upon its nuclear policies? With reference to existing literatures that have attempted to answer this question – or be used as a theoretical foundation answering this question – it was found that there are difficulties with attempting to immediately dissect clerical views on nuclear weapons and other WMD from within dominant (secular) epistemological frameworks of analysis. Attempts to portray the influence of religion – and Islamic belief specifically – on Iranian strategic preferences towards nuclear weapons have hinged on the social construction of Iran as either a ‘like-unit’, or a Muslim ‘other’, rather than a substantive engagement with Islamic discourse themselves from outside the narrow epistemological boundaries of the ‘deterrence parameter’.

Commentators of both orientalist and realist persuasions by and large attempt to situate the trajectory of Iran’s nuclear programme within Eurocentric paradigms of security. For this

⁷¹³ Ali Khamenei, “Nuclear Weapons do not Safeguard any Political Power”, *Official Website of Ayatollah Ali Khamenei*, 30 April 2012, <http://web.archive.org/web/20160319130721/http://english.khamenei.ir/Opinions/tnuclear> [Accessed 11.06.16]

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reason, a large portion of the literature and policy-oriented commentary purporting to narrate the strategic preferences of the Islamic Republic of Iran reveal more about the deterrence parameter and the social-construction of the ‘self’ in nuclear strategy than it does where Iran’s strategic preferences come from, and where they might go in the future, if we assume that religion does have an impact.

The thesis proceeded to deconstruct two of the most dominant paradigms for interpreting Iran’s strategic preferences concerning nuclear weapons: the first being an orientalist paradigm, and the second being a realist paradigm of nuclear strategy. At task was not only the tendency to ‘orientalise’ Iran’s nuclear latency according to the discourse of the ‘mad mullah’, but how the opposite narrative that Iran’s strategic preferences are born from an unexceptional Hobbesian impetus for self-preservation in an anarchic international system (and not religious beliefs) can equally skew our view of Iranian strategic agency and foreign policy. This latter realist analysis has become much more prevalent in policy discourse as we approach – as of 2016 – what is looking to be a relaxation of political and military tensions between the United States and Iran over the latter’s nuclear programme. In sum, neither realist nor orientalist assessments of Iran’s nuclear programme can account for the depth of Islamic perspectives concerning laws of warfare, questions of the state, and existential threats. This is evidenced in the tendency of analysts promoting the either/or dichotomy of Iranian politics to refer to Iran’s Islamic revolutionary ideology and structures of religious authority in the policy realm only when underlining preconceived notions of how states behave in the nuclear era.

Chapter Two assessed the tendency towards viewing Iranian nuclear policy as being driven by an irrational Islamic ontology. Many of the claims levied at Iran (i.e. that the Iranians are predisposed to strategies of ‘martyrdom’ given their Shi’i identity, and that that clerics are

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irrational) were based on only a nominal awareness of religious and cultural practises in Iran.

By far more influential than actual study of religious belief impacting Iran's strategic preferences are a ream of orientalist motifs and images already in circulation about Iran and Islam which are used to reinforce the case that Iran a) cannot be trusted not to pursue nuclear weapons, and b) would not be deterred from using nuclear weapons once it obtained them.

Consequently, the permanence of certain conclusions concerning the nature of Iran's nuclear programme (namely, that it should be considered perpetual source of suspicion or and clandestine military activity) should be considered an outcome of a host of coalescent discourses and narratives related to Iran, Islam and the 'other'. Assessments therefore do not reflect unambiguous 'Truth'. On the level of epistemology, one can regard the International Atomic Energy Agency's (IAEA) view that it is "not in a position to provide credible assurance about the absence of undeclared nuclear material activities in Iran"⁷¹⁴ as typifying the dangers of construing knowledge production in the context of nuclear proliferation as value-neutral. While it is empirically 'true' that the IAEA can never provide complete assurances about the non-military nature of Iran's nuclear programme, a statement such as this depends on an assumption on the part of the audience that Iran is somehow exceptional in this respect.

Chapter Three established that there exists a normative dimension of realist theory in the nuclear field that is especially conducive to understanding nuclear proliferation strategies (and ultimately the 'threat') of various countries – regardless of their own individual histories, cultures, and religions which inevitably have a bearing on strategic thinking – as an almost empirical science. As states other than Iran from the 'global south' choose whether or not to pursue nuclear technology themselves, there is a danger that theory could similarly fail

⁷¹⁴ Herman and Peterson, "The Iran "Threat" in a Kafkaesque World", p. 36.

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at drawing a complete picture of the impact that normative belief has on defence and foreign policy decisions in countries within which decision-making elites draw from a range of unique and competing cultural and religious ideas in informing their own notion of strategic military ‘modernity’. Over the course of this thesis, we have found that the very question of whether or not a state can be deterred – whether from obtaining or using nuclear weapons – is too narrow a lens for understanding the kind of unique impact that Islam could have on strategic preferences in Iran.

The default framing of Iran’s nuclear intentions according to either orientalist or realist narratives of its strategic preferences has deeper roots than the recent emergence of the Iranian ‘nuclear crisis’ would suggest. These roots lie in the decades following the first use of nuclear weapons in 1945, and the emergence of nuclear strategy and deterrence theory in the United States. Chapter Three established that discourses surrounding nuclear deterrence and nuclear proliferation emerging during these post-war years (and the rise of theory to accompany them) would constitute today’s epistemic boundaries which situate the Iran nuclear question: referred to in this study as the deterrence parameter of nuclear weapons. Contrary to the now popular realist foundational myth of nuclear strategy, the transition from viewing the Soviet Union as an irrational actor to viewing it as a ‘like-unit’ was an outcome as much of social-construction as it was material conditions of insecurity, or a more ‘enlightened’ defence policy-making process. This shift determined how intelligence and seemingly ‘objective’ metrics of insecurity (and ultimately drivers of nuclear proliferation) were read and interpreted. In line with what Pelopidas has identified as the ‘proliferation paradigm’, this realist approach – while accepting the premise that the Iranians are rational – nevertheless treats nuclear proliferation as an almost inevitable outcome and global process. Attempts at reviving the realist approach to understanding Iran’s nuclear programme as a counter-narrative to orientalism ultimately negates the impact of religion on Iranian strategic

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preferences. As a result, even attempts at defending Iran against the normative charge that its leadership are irrational simply move Iranian strategic preferences from one set of Eurocentric ontological definitions (i.e. orientalism) to another (i.e. realism). Both these approaches to Iran were found to be unsatisfactory if we consider the real impact that normative ideas have on security and defence policies. The dichotomous view of Iran highlights a disconcerting reality that despite Iran being a constitutional Islamic Republic, with many areas of policy being under the purview of scholars of Islam, interdisciplinary scholarship on religious belief systems, law and ideology are considered largely superfluous in the discussion over where its nuclear programme might go in the future.

The development of an analytical framework for understanding the social-construction of strategic thinking from both outside and within Iran has been at the core of my attempt at answering the initial research question. This de-secularised framework for analysis can highlight the blind-spots of the deterrence parameter, and point to opportunities for more a closer appreciation of Iranian strategic preferences on their own terms. Beyond these theoretical opportunities, the framework may also provide avenues for understanding where Iran's strategic preferences towards nuclear weapons could go in the future if we assume that religion impacts policy-making in the country. The framework for analysis, capable of providing some historical and theological context to how religious scholars might view Islamic Republic of Iran's own strategic preferences, was structured according to three levels: Qur'anic ontology, secondary sources, and theology. These three levels were used to dissect a range of religious sources, scholarly opinions, and military experiences that can potentially shed light on Iranian strategic preferences today. These related to previous doctrines which addressed weapons capable of mass destruction (including tactical postures) which jeopardise the lives of non-combatants during times of war, and other wider considerations shared by

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nuclear weapons use, or that flavour Western debates over why nuclear proliferation happens, and the normative underpinnings of a successful nuclear deterrence dynamic.

The alleged Shi'i 'penchant for martyrdom', Shi'ism as a 'religion of protest', and other orientalist or romantic frameworks for conceptualising its jurisprudence, do not account for the broad spectrum of Muslim experiences and rationales that clerics in Iran today are compelled to consider when developing their own military jurisprudence. This thesis has found that analysing some of the roots and points of reference for contemporary religious opinions concerning nuclear weapons and other weapons of mass destruction can benefit from the study of some Sunni experiences and legal concepts. This problematises the claim that Iran's strategic preferences are rooted in essentialist constructions of 'Shi'ism' and 'Islam'. Although perhaps a cornerstone of Shi'i legal scholarship today in Iran, especially on issues related to the state and war and interrelated international security issues, discourses concerning nuclear weapons as espoused by Iran's *ulama* are also linked to ways of understanding war, and methodologies for developing military jurisprudence, found in Sunni legal theory. In characterising Shi'ism as a 'religion of protest' or revolution against temporal authority, we may lose sight of crucial transformations within the sect that took place in the 20th century. Specifically, an essentialist view of Shi'i thinking about war and the state cannot account for the fusion of a Sunni legal mechanism for pragmatism – *maslahah* – with a characteristically Shi'i theology associated with 'just leadership' and vicegerency to the Twelfth Imam. This tendency has, in turn, de-historicised Islamic legal theory and given the impression that as far as the Islamic Republic of Iran actually does enact policy in line with a religious belief system, this belief system is static and not subject to change. We can observe this kind of thinking emerging with the debate over the relevance of the Supreme Leader's *fatwa* concerning nuclear weapons today.

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This theological-legal-political fusion of Shi'ism with *maslahah* has not, however, simply resulted simply in the abandonment of Shi'i orthodoxy in search of the hitherto allusive Islamic nation-state. It has by contrast created a new orthodoxy, discernible in the process of securitisation. The introduction of concepts related to expediency and pragmatism to the lexicon of Shi'i legal theory by Ayatollah Khomeini meant that both Sunni and Shi'i schools are conjoined in their views about the need to preserve attempts at an Islamic 'state' by any means necessary in the face of existential threat. Within the *nezam*, the Supreme Leader and other members of the *ulama* consulted in matters of policy in Iran remain legatees of the Twelfth Imam in a both narrow legal sense as well as mystical one. This imbues all Islamic 'pragmatism' with a teleology that goes beyond the material survival of the Islamic State and legalism.

This has notable consequences for our understanding of religious discourses behind Iran's nuclear options. Chapter Three confirmed that in the context of Iran's nuclear programme, commentators, analysts and academics alike regularly appropriate Islamic terminology and motifs in order to explain Iran's agency in light of the premise of clerical involvement with politics. These 'experts' are aware that Iran's official Shi'i identity facilitates certain doctrines, and consequently introduce Shi'i concepts such as *taqiyah* and the Imamate to the debate. Despite the awareness of Islamic and Iranian cultural concepts, this kind of literature that is produced on Iran's nuclear programme is superficial, incapable offering insights into how the normative-religious factors could contribute to the Islamic Republic of Iran's policy agenda in the area of strategic affairs and in particular its nuclear programme. That this literature often depends on the silence of Islamic legal theory and theorists – especially that of the *ulama* in Iran – should not come as a surprise to students of Said: “[w]ithout significant

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exception the universalizing discourses of modern Europe and the United States assume the silence, willing or otherwise, of the non-European world”.⁷¹⁵

Chapter Five reappraised the contemporary views of clerics in Iran concerning nuclear weapons and other WMD using an Islamic framework for analysis. This analysis was widened slightly to include reference to the cultural and historical context within which contemporary scholars have voiced their opinions on nuclear weapons. The chapter concluded that including religious definitions of pragmatism and expediency on their own terms can provide an alternative type of analysis of how Iran’s nuclear intentions are shaped and developed. This is of relevance as much to those wishing to broaden the study of Iranian foreign policy-making and national security strategies as it is those from within the field of Islamic Studies attempting to discern how the state and military strategy can impact Shi’i jurisprudence. In this regard, a more genealogical reading of the use and non-use of certain weapons for Muslims goes some way towards underlining that there can never be a single tactical or strategic doctrine of warfare within Islam, but rather many that compete in the minds of jurists, based on changing circumstances, for the status of objective ‘Truth’. These doctrines are capable of retaining their ‘Islamicity’ due to the proximity of *maslahah* within a mystical tradition of Islam, and are therefore not overtly presented as being the outcome of subjective scholarly opinion, or situated within a specific time and space. It is for this reason that neither realist nor orientalist accounts are adequate.

Contributions and Further Research

This thesis has offered a critical option for understanding Iranian strategic preferences towards nuclear weapons, based on a closer analysis of Islamic sources and discourse. It has contributed a modest attempt at linking the concerns of IR scholarship related to nuclear

⁷¹⁵ Edward W. Said, *Culture & Imperialism*, London: Chatto & Windus, 1993, p. 58.

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proliferation and deterrence with more rigorous qualitative analysis drawn from the fields of Iranian Studies and Islamic Studies – evidence which could permit assessments of Iranian strategic agency to reveal more about a range of directions Iran’s nuclear programme could go in the future, depending on how its security situation changes. As a corollary to this third way, the thesis has taken into consideration certain primary sources of the contemporary realist view of Iran’s nuclear programme. This has been done in order to highlight the pitfalls of situating Iran within the worldviews of realism or deterrence theory in order to identify the roots of its strategic preferences, and project the future of its nuclear programme. This third way has avoided the debate over whether or not Iranian policy-making is in fact influenced by religion at all. Rather than attempting to prove or disprove the ‘rationality’ of Iran’s clerics, the thesis has offered insight into the types of constitutive logic and epistemic parameters which Iran’s *ulama* would engage with when encountering questions related to nuclear weapons. Indeed, there are inherent difficulties associated with attempting to quantify with any degree of precision – or objectivity – the exact normative foundation of policy-outcomes. Instead, I have taken as a foundational assumption (quite modestly) that religious belief and religious authorities *can* have an impact on the policy-making process, but challenged contemporary assessments of what the implications of this are.

The ‘vertical’ critique of realist nuclear discourse offered in Chapter Three contributes a deconstruction of a growingly prevalent representation of Iranian strategic agency based on the terms of critical theory rather than ontological orientalism. For this reason, it is unique in that its conclusions are not that Iran is an inherently irrational actor by virtue of religious scholars taking part in the policy-making process, but that this path in the nuclear debate is fraught with its own problems that will become increasingly apparent as other states in the ‘Global South’ – each with their own unique cultural and religious underpinnings for foreign, defence, and development policies – adopt nuclear technology. This chapter also gives further

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justification for the subsequent analysis of Islamic military jurisprudence and the concoction of an analytical framework, given that those accepting the ‘horizontal’ critique of orientalism in Chapter Two could justifiably argue that recourse to a more ‘objective’ realist interpretation of Iranian strategic preferences would be a sufficient remedy to the problems outlined in Chapter Two.

In theoretical terms, the framework developed in this thesis in Chapters Four and Five for understanding how clerics view nuclear weapons can be seen as a contribution to a growing critical and post-positivist approach to understanding the impact of religion on the Islamic Republic of Iran’s policy-making processes. With this in mind, the analytical framework could potentially open up other areas of strategic policy-making in Iran to a reappraisal, especially given that we are presented with very little insight in the West to the worldviews of scholars like Khamenei.

While the framework for analysis developed in this thesis provides a guide for academics when attempting to critically assess the contemporary views of scholars – or simply understand these views in context – more views should be considered in the coming decades. Given the advanced age of some of the scholars whose views were surveyed in Chapter One, and dissected in Chapter Five, it would be pertinent to continue to document and trace the types of religious thinking towards nuclear weapons and other WMD which emerge in the coming years from new religious scholars. A more exhaustive study of Arabic and Farsi language sources by scholars with a mastery of both these languages would also be an important part of developing the research put forth in this thesis.

With the advanced age of the Supreme Leader especially, although it is unlikely – based on assessments in Chapter Five – that a new Supreme Leader would introduce a diametrically opposed *fatwa* on nuclear weapons, it will be necessary to reassess the structural implications

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of religious opinion in Iran concerning this issue after the installation of a new *wali al-faqih*. This will be particularly important if the office of Supreme Leader is altered in any way (for example, turned into a council of senior clerics, or *shura al-fuqaha al-maraja*). Furthermore, and in accordance with the findings of this thesis in Chapter Five, it will be necessary to continue to monitor the evolution of religious thinking in Iran on nuclear weapons in order to gain insight into how these scholars view international affairs, and the place of the Islamic Republic in the international system. Whether or not the JCPOA signed between the Islamic Republic of Iran and the P5+1 in 2015 will be conducive or not to a more open and free conversation about these views inside the former country, and a more effective communication of the views to outsiders, remains to be seen. Additionally, in the coming years as Iraq considers developing its own nuclear industry,⁷¹⁶ it may be pertinent to revisit the framework developed in this thesis in assessing the views of Iraqi scholars concerning nuclear weapons, and perhaps even contrast these views with those found in Iran.

⁷¹⁶ Martin Chulov, "Iraq Goes Nuclear with Plans for New Reactor Programme", the *Guardian*, 27 October 2009, <http://web.archive.org/web/20160319133754/http://www.theguardian.com/world/2009/oct/27/iraq-nuclear-reactor-programme> [Accessed 08.06.16]

Appendix

Glossary of Arabic and Farsi Terms

‘*Alim*: Religious scholar. Plural: *ulama*.

‘*Aql*: Intellect.

‘*Ilm*: Knowledge.

‘*Irfan*: Islamic mysticism.

Adab: Islamic etiquette.

Ahadith: See *Hadith*.

Ahkam: See *Hukm*.

Ahlulbayt: Family or progeny of the Prophet.

Akhira: The next world.

Akhlaq: Manners.

Ayat: Verse of the Qur’an.

Bid’ah: Innovation.

Dar al-Harb: Abode of war.

Dar al-Islam: Abode of Islam.

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Dunya: This world.

Falsafa: Philosophy.

Fatwa: Islamic edict, usually applying only to the followers of a particular Islamic scholar.

Plural: *Fatawa*.

Fiqh: Jurisprudence.

Hadith: Narrated tradition of the Prophet or Twelve Imams. Plural: *Ahadith*.

Hawza 'ilmiyya: Shi'i seminary. Shorthand: *Hawza*.

Hijrah: Migration of the Prophet and his followers from Makkah to Madina.

Hujjat al-Islam: Literally 'Sign' or 'proof' of Islam, a rank of cleric below that of Ayatollah.

Hukm: In the Shi'i context, an Islamic edict applying to all Muslims, regardless of whom their *marja al-taqlid* is. Plural: *Ahkam*. See also *Taqlid* and *Fatwa*.

Ijtihad: Law-making based on individual interpretation rooted in rational and logical faculties.

Jahiliyah: Pre-Islamic times.

Jihad: Literally 'struggle', often denoting war.

Madhab: Islamic school of thought. Plural: *Madhahib*.

Manjaniq: Trébuchet, or catapult.

Marja al-Taqlid/Marja e-Taqlid: Source of emulation. Plural: *Maraji*.

Maslahah: Public interest.

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Masoom: Without sin or fallibility. Plural: *masoomin*.

Mujtahid: One who has attained a sufficient level of religious education that they can interpret Islamic texts and law on their own. Plural: *mujtahidin*.

Muqalid: One who emulates.

Naft: Greek fire, thermal weaponry.

Qisas: Like-for-like retaliation.

Qiyas: Analogical reasoning in the interpretation of the Qur'an and Islamic law.

Shari'ah: Literally 'the way', used frequently to denote an Islamic legal system.

Shi'i: An adherent of the Shi'ism, a sect of Islam which believes Ali ibn Abi Talib to have been the rightful successor to the Prophet. Plural: Shi'a.

Sunnah: Practise of the Prophet or Twelve Imams. Plural: *sunnan*.

Surah: Chapter of the Qur'an.

Taghut: Transgression.

Taqiyah: Dissimulation.

Taqlid: Practise of emulation, often of a religious scholar. See also *Marja al-Taqlid*.

Usul al-Fiqh: Principles of Islamic jurisprudence.

Wali al-Faqih/Vali-ye Faqih: Guardian jurist. See *Wilayat al-Faqih*.

Wilayat al-Faqih/Velayat-e Faqih: Literally Guardianship of the Jurisprudent, a theory of religious governance rooted in Shi'i theology. The official system of governance in the Islamic Republic of Iran today.

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⁷¹⁷ Citations for Arabic surnames containing al- or ibn- prefixes are listed according to the first letter of their surname. For example, when searching for the name al-Hurr al-Aamili in this bibliography, refer to Aamili rather than al-Aamili.

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